

Development Committee



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TO REGISTER TO SPEAK PLEASE SEE BOX BELOW

Wednesday, 9 March 2022

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices** on **Thursday, 17 March 2022 at 9.30 am.**

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours

Please note that members of the public should not speak to Committee Members prior to or during the meeting.

PUBLIC SPEAKING :

Members of the public who wish to speak on applications must register **by 9 am on the Tuesday before the meeting** by telephoning **Customer Services on 01263 516150** or by emailing customer.service@north-norfolk.gov.uk. Please read the information on the procedure for public speaking at Development Committee on our website or request a copy of "Have Your Say" from Customer Services.

Anyone may take photographs, film or audio-record the proceedings and report on the meeting. You must inform the Chairman if you wish to do so and must not disrupt the meeting. If you are a member of the public and you wish to speak, please be aware that you may be filmed or photographed.

Emma Denny
Democratic Services Manager

To: Mrs P Grove-Jones, Mr P Heinrich, Mr A Brown, Mr P Fisher, Mrs A Fitch-Tillett, Dr V Holliday, Mr R Kershaw, Mr N Lloyd, Mr G Mancini-Boyle, Mr N Pearce, Mr M Taylor, Mr A Varley, Ms L Withington and Mr A Yiasimi

Substitutes: Mr T Adams, Dr P Bütikofer, Mrs S Bütikofer, Mr C Cushing, Mr T FitzPatrick, Mr V FitzPatrick, Mr N Housden, Mr J Punchard, Mr J Rest, Mrs E Spagnola, Dr C Stockton, Mr J Toye and Mr E Vardy

All other Members of the Council for information.

Members of the Management Team, appropriate Officers, Press and Public



If you have any special requirements in order to attend this meeting, please let us know in advance

If you would like any document in large print, audio, Braille, alternative format or in a different language please contact us

Chief Executive: Steve Blatch

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A G E N D A

PLEASE NOTE: THE ORDER OF BUSINESS MAY BE CHANGED AT THE DISCRETION OF THE CHAIRMAN
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PUBLIC BUSINESS

1. CHAIRMAN'S INTRODUCTIONS

2. TO RECEIVE APOLOGIES FOR ABSENCE

3. SUBSTITUTES

4. MINUTES

(Pages 1 - 8)

To approve as a correct record the Minutes of a meeting of the Committee held on 17th February 2022.

5. ITEMS OF URGENT BUSINESS

(a) To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

(b) To consider any objections received to applications which the Head of Planning was authorised to determine at a previous meeting.

6. ORDER OF BUSINESS

(a) To consider any requests to defer determination of an application included in this agenda, so as to save any unnecessary waiting by members of the public attending for such applications.

(b) To determine the order of business for the meeting.

7. DECLARATIONS OF INTEREST

(Pages 9 - 14)

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest. Members are requested to refer to the attached guidance and flowchart.

8. STALHAM - PF/21/1532 - EXTRA CARE DEVELOPMENT OF 61 INDEPENDENT ONE AND TWO BEDROOM FLATS, WITH SECURED LANDSCAPED COMMUNAL GARDENS, ASSOCIATED VISITOR AND STAFF CAR AND CYCLE PARKING, EXTERNAL STORES AND A NEW VEHICULAR ACCESS ONTO YARMOUTH ROAD. LAND NORTH EAST OF YARMOUTH ROAD, STALHAM

(Pages 15 - 58)

9. STALHAM - PF/21/2021 - A NEW RESIDENTIAL DEVELOPMENT OF 40 AFFORDABLE HOUSES COMPRISING 22 AFFORDABLE

(Pages 59 - 96)

/SHARED OWNERSHIP HOUSES AND ONE BLOCK OF 18 AFFORDABLE FLATS CONSISTING OF 9, ONE BEDROOM FLATS AND 9, TWO BEDROOM FLATS WITH ASSOCIATED LANDSCAPING, INFRASTRUCTURE AND ACCESS. LAND NORTH EAST OF YARMOUTH ROAD, STALHAM

10. **SHERINGHAM - RV/21/2885 - VARIATION OF CONDITION 2 OF PLANNING REF: PF/18/1603 TO ENABLE MERGER OF UNIT 0.2 (A3/A5) AND UNIT 0.3 (A3) TO FORM UNIT 0.2 A3/A5 USE; AMENDMENT TO UNIT 1.2 (A3) TO FORM TWO UNITS - UNIT 1.2 (C3 RESIDENTIAL) AND UNIT 1.3 (C3 RESIDENTIAL) AT 1 HIGH STREET, SHERINGHAM, NORFOLK** (Pages 97 - 114)
11. **RIDLINGTON - LA/21/0794 - EXTERNAL WORKS ASSOCIATED WITH ERECTION OF BRICK & FLINT BOUNDARY WALL BETWEEN THE OLD RECTORY AND STACY BARN, HEATH ROAD, RIDLINGTON** (Pages 115 - 118)
12. **RIDLINGTON - PF/21/0793 - EXTERNAL WORKS ASSOCIATED WITH ERECTION OF BRICK & FLINT BOUNDARY WALL BETWEEN THE OLD RECTORY AND STACY BARN, HEATH ROAD, RIDLINGTON** (Pages 119 - 122)
13. **LITTLE SNORING - PU/21/3150 - CHANGE OF USE OF AN AGRICULTURAL BUILDING TO 2 "LARGER" DWELLINGHOUSE AND BUILDING OPERATIONS REASONABLY NECESSARY FOR THE CONVERSION; BARN AT JEX FARM, THURSFORD ROAD, LITTLE SNORING** (Pages 123 - 134)
14. **NORTH WALSHAM - PF/22/0431 - ERECTION OF SINGLE STOREY REAR EXTENSION (PART RETROSPECTIVE) AND SIDE EXTENSION TO DWELLING; 1 PRIMROSE WALK, NORTH WALSHAM** (Pages 135 - 138)

OFFICERS' REPORTS

15. **DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE** (Pages 139 - 146)
16. **APPEALS SECTION** (Pages 147 - 150)
 - (a) New Appeals
 - (b) Inquiries and Hearings – Progress
 - (c) Written Representations Appeals – In Hand
 - (d) Appeal Decisions
 - (e) Court Cases – Progress and Results

17. EXCLUSION OF PRESS AND PUBLIC

To pass the following resolution, if necessary:-

“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of

business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A (as amended) to the Act.”

PRIVATE BUSINESS

18. ANY URGENT EXEMPT BUSINESS

**19. TO CONSIDER ANY EXEMPT MATTERS ARISING FROM
CONSIDERATION OF THE PUBLIC BUSINESS OF THE AGENDA**

DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 17 February 2022 in the Council Chamber - Council Offices at 9.30 am

Committee Members Present: Mrs P Grove-Jones (Chairman) Mr P Heinrich (Vice-Chairman)

Mr A Brown	Mr P Fisher
Mrs A Fitch-Tillett	Dr V Holliday
Mr R Kershaw	Mr G Mancini-Boyle
Mr N Pearce	Mr A Varley
Mr A Yiasimi	Mr M Taylor

Substitute Members Present: Cllr T Adams – On behalf of Cllr N Lloyd
Cllr J Rest – On behalf of Cllr L Withington

Members in Attendance: Cllr S Bütikofer (Item 9), Cllr L Shires (Item 8)

Officers in Attendance: Assistant Director for Planning (ADP)
Principle Lawyer (PL)
Development Management Team Leader (DMTL)
Democratic Services & Governance Officer – Scrutiny
Democratic Services & Governance Officer – Regulatory

16 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Committee Members Cllr N Lloyd and Cllr L Withington.

17 SUBSTITUTES

Cllr T Adams and Cllr J Rest were present as substitutes for Cllr N Lloyd and Cllr L Withington respectively.

18 MINUTES

Cllr A Varley noted his name was absent from the list of Committee Members present at the previous meeting, though he had been in attendance. Subject to this amendment the Minutes of the meeting held on the 20 January 2021 were approved as a correct record and signed by the Chairman.

19 ITEMS OF URGENT BUSINESS

None.

20 DECLARATIONS OF INTEREST

The Chairman declared a non-pecuniary interest for Agenda Item 8, Planning Application PF/21/2469, she is known to the applicant's sister though advised she has not discussed the application with her, and stated did not preclude her to speak and vote on the application.

21 EAST RUSTON - PF/21/2469 - ERECTION OF 7 SINGLE STOREY HOLIDAY LODGES IN CONNECTION WITH THE PUBLIC HOUSE, ASSOCIATED CAR PARKING AND AMENITY AREAS; BUTCHERS ARMS, OAK LANE, EAST RUSTON, FOR MR M OAKES

The DMTL introduced the report to Members and the recommendation for approval subject to strict planning conditions. It was noted that this was a revised planning application following the refusal of planning application PF/19/1816, which had been for 9 units. The revised application was considered acceptable by Officers in principle, subject to conditions including those to mitigate noise, controls regarding external lighting and strict conditions controlling of the use of the site. The Public House and application site were designated as an Asset of Community Value (ACV), and whilst the proposed development would result in the partial loss of an ACV, the revenue from the development would contribute towards the ongoing survival of the other half of the ACV; the Butchers Arms Public House.

At the discretion of the Chairman, Members were furnished with copies of written statements from East Ruston Parish Council and from a local resident, objecting to the development. These representations were received after the deadline for public speaking at the meeting had closed.

Public Speakers

Malcom Dixon – Agent

- i. Cllr L Shires – Local Member, expressed her support for the concerns raised by the Parish Council and of residents on the impact to their quality of life by result of increased noise levels, loss of privacy, as well as the loss of greenspace and inadequate provision of parking. She thanked the DMTL for his engagement with both herself and local residents and for considering residents' concerns as reflected in the strict conditions placed on the application subject to approval. Cllr L Shires asked the Committee to consider a possible extension to the Butchers Arms to accommodate rooms within the Pub as opposed to permitting a separate structure, or a further reduction in number of external units to 4 or 5.
- ii. The ADP advised the Committee of the planning process and affirmed that any extension of the Public House would require a different planning application. He advised Members to consider the application before them, and noted the Applicant had previously revised their application and may not wish to revise it further.
- iii. The DMTL commented that the Applicant and their Agent had reluctantly reduced the number of units from 9 to 7, which Officers determined to be agreeable.
- iv. At the discretion of the Chairman the Planning Agent was permitted to make an additional representation for the purposes of clarity. The Agent advised that a further reduction in the number of units would erode at the viability of the business.
- v. Cllr P Heinrich commented that he was very familiar with the Butchers Arms Public House, and acknowledged that the Pub had always required a second revenue stream to remain viable. He acknowledged the revised application subject to conditions was much improved. He sought assurances with

respect to the impact of the external lighting on the dark skies policy. On balance, and considering the economic benefits, Cllr P Heinrich proposed acceptance of the officer's recommendation.

- vi. Cllr J Rest stated his concern that the Public House had not yet been refurbished, and in its present condition would be unable to provide amenity to the holiday lodges. He questioned why the redevelopment of the Pub had not been done first, and what would happen to the units should the Public House fail.
- vii. The DMTL advised should the Pub fail in the future, this was not directly relevant to the consideration of the planning application. The ADP added to the DMTL comments and referenced page 25 of the officer's report, and that the accommodation would be formally tied to the Public House. The accommodation was key to the diversification of the offer the ACV and part of an investment strategy. The ADP advised, should Members be so minded, they could apply conditions that should the Public House close, the accommodation would also be required to close, as the units were intended to provide diversification to the ACV and additional value to the Public House. Alternatively, permissions could be applied which would require the removal of the units after a set period of time, though the addition of too many conditions would not be advisable.
- viii. Cllr N Pearce expressed his concerns over the visual appearance of the units which would not be in keeping with the historic setting. He supported comments made that the Pub should be developed first and stated that this was a challenging planning application, as reflected in the number of conditions attached with the officer's recommendation. He believed that the application would have an adverse effect on the rights of local residents to a calm environment without undue interruption or nuisance. Whilst he understood the needs of the business to trade, he commented he would not support the officer's recommendation.
- ix. Cllr A Fitch-Tillett stated that Pubs in rural settings were important to their local community, and that the Butchers Arms had successfully been designated as an ACV. It would therefore be difficult to close the Pub given its ACV status, and it was important to ensure that it remained a viable business. Cllr A Fitch-Tillett seconded the proposal to accept the officer's recommendation.
- x. Cllr G Mancini-Boyle expressed his support for the application and noted that the Applicant had demonstrated willingness to compromise and revise their application on the advice from Officers. He commented that whilst the noise generated from the air source heat pump was not desirable, this type of infrastructure was better for the environment. The units were set back from housing which would aid in minimising the impact on residents.
- xi. Cllr A Brown commented he would prefer the use of restrictions to ensure that the units could not be sold separately to the Pub, and that this be applied with a planning agreement rather than as a planning condition. He expressed his disappointment over the loss of greenspace, and was sympathetic to comments made by other Members with respect to the visual appearance of the units. Whilst the accommodation would be visually constrained behind the Pub, the use of materials including zinc roofing were undesirable and more effort should have been made in using sympathetic materials to the

area. He acknowledged the economic growth unit's report and hoped, should the application be approved, the development would aid to sustain the Butchers Arms Pub.

- xii. In response to questions by Cllr A Brown, the PL advised of the guidance that where restrictions can be imposed by either planning condition or by agreement, it was preferred that it be by planning condition. Securing restrictions by legal agreement would not prevent that agreement to be varied, and would therefore provide no greater protection than a planning condition. ACV status would not prohibit development or the sale of the Pub, rather it would allow for the community to submit a bid to purchase, though it would not be guaranteed to be sold to the community.
- xiii. Cllr V Holliday stated that the extensive conditions placed on the application indicated that the development was not suitable. The Pub was not currently operating and therefore could not provide amenity to the units, this would impact on carbon emissions with tourists requiring a car to access alternate services, which contradicted the Councils Net Zero Strategy.
- xiv. Cllr A Yiasimi expressed his support for the officer's recommendation and commented that this was a finely balanced planning application. He acknowledged that the Applicant had addressed the issues raised with the prior application including the inclusion of solar panels, electric charging points, drainage concerns, and noise and light pollution.
- xv. The DMTL advised with respect of external lighting, should this be proposed in future, that a condition would be added which would require the prior approval of any external lighting on the units. Such lighting would need to adhere with Council guidelines in being both low energy and downward facing.
- xvi. Cllr R Kershaw spoke against the officer's recommendation, and remarked that the money intended to be spent on the 7 units could have been used on developing the food offering and kitchen of the Pub in addition to temporary outside accommodation, which would have aided with the viability of the business. The volume of conditions applied to the application would make it challenging to enforce.
- xvii. The Chairman reflected on a similar development within the district which had been positively received and had resulted in the increased use of that Public House.

RESOLVED by 6 votes for, and 6 against.

That planning application PF/21/2469 be approved subject to conditions contained within the officer's recommendation.

22 BEESTON REGIS & THE RUNTONS - PF/21/2593 - REMOVAL OF EXISTING OUTBUILDING AND RAISED PAVING AND STEPS TO REAR OF BUILDING; TWO STOREY SIDE EXTENSION; NEW OUTBUILDINGS TO SIDE AND REAR; RAISED REAR SEATING AREA AND GLASS WIND SCREEN TO REAR OF BUILDING INCORPORATING RAMP AND STEPS; NEW FIRE ESCAPE STAIR;

PERGOLA AND GLASS WIND SCREEN TO FRONT OF BUILDING; REPLACEMENT OF 2 NO. ROOF WINDOWS BY DORMER WINDOWS; CHANGE WINDOW TO BI-FOLD DOORS FROM RESTAURANT TO OUTSIDE SEATING AREA; 2M HIGH SCREEN FENCE TO EASTERN BOUNDARY (RETROSPECTIVE); DORMY HOUSE HOTEL CROMER ROAD WEST RUNTON NORFOLK NR27 9QA, FOR MR S BRUNDLE.

The DMTL introduced the report to Members and detailed the officer's recommendation for refusal. Prior planning permission had been granted for planning application PF/19/1682, however the current application proposed amendments to the approved scheme and was predominantly retrospective in nature given that some of the works had been commenced or completed. The application was considered to be contrary to Policy EN4 of the North Norfolk Core Strategy, Section 12 of the NPPF, and design principles set out in the North Norfolk Design Guide.

Public Speakers

Steve Brudle (supporting)

- i. Cllr S Bütikofer – Local Member, noted this was a difficult application and a balance between supporting a local business whilst being equitable across the whole district. She expressed concerns over the protection of the undeveloped coast, specifically with regard to North Norfolk Core Policy EN3, para 3.3.9 She noted that the frontage of the property had altered significantly in recent years, and developed a higher profile on the coast road to the detriment of the gentle coastal landscape. She added it was important for new developments to compliment local surroundings whilst being safe and accessible for all, as established in the North Norfolk Core Strategy's vision and aims. She considered there to be an inadequate provision of parking, and that customers at busy times would need to park on the road which would further lead to the detriment of the local area, and to highway safety. Cllr S Bütikofer supported officer's comments that the extension built was contrary to North Norfolk Core Strategy policy EN4 and to the NPPF. Whilst sympathetic to the needs of businesses, and the tourist economy, she determined that no one business should be exempt from the rules. The Local Member asked the Committee to consider a middle way which would ensure remedial work was undertaken with respect of the application, accepting there were many aspects of the application which had been compliant. If the Applicant were unwilling to make such changes, Cllr S Bütikofer urged the Committee to consider the officers recommendation for refusal.
- ii. Cllr R Kershaw stated his disappointment with respect to the part retrospective nature of the application, and whilst he was not satisfied with the development in its current form, he wished for an agreement to be reached with the Applicant which would remediate those aspects which were unacceptable. He commented that he was sympathetic to the significant financial difficulties of the hospitality industry as a consequence of the Covid-19 pandemic.
- iii. The ADP advised Members that the application being considered offered a total form of development which must be determined. Should the application be refused, enforcement action would commence for those aspects which would not otherwise be granted planning permission. As highlighted by the DMTL the matter of enforcement action would relate to the side extension, and may not extend to other works undertaken which may otherwise have

been granted planning permission. The opportunity would be available for the Applicant to submit a further application, free of fee, for those elements that would have otherwise been granted planning permission. If this application was deferred, further discussion would take place with the Applicant regarding the side extension. The ADP affirmed that proportionate enforcement action would be undertaken, and enforcement notices would only be served if the enforcement negotiations had been entirely exhausted.

- iv. Cllr V Holliday stated the importance of protecting coastal areas, and that this application failed in doing that.
- v. Cllr N Pearce supported the officer's recommendation for refusal, and was assured by the ADP's guidance that refusal of the application would not result in an immediate enforcement notice, opening an avenue for meaningful dialogue with the Applicant to ensure the matter was resolved.
- vi. Cllr A Fitch-Tillett endorsed the need to support and preserve the coast, and commented that the establishment had increased in size significantly in recent years. She considered the development to be visually unappealing and that it must be stopped. Cllr A Fitch-Tillett proposed acceptance of the officer's recommendation for refusal.
- vii. Cllr A Brown seconded the proposal and hoped that the enforcement team would engage in a proactive and constructive manner with the Applicant. He commented it was important to encourage hospitality businesses to recover from the pandemic, and the central role tourism plays in North Norfolk.
- viii. In response to comments made, the PL advised it was unlawful to carry out development without planning permission, and that it was a criminal offence to fail to comply with an enforcement notice.
- ix. Cllr P Heinrich expressed his support for the officer's recommendation and acknowledged the economic need of the area and of the business, and commented that the issue was with the side extension which was not compliant with granted planning permission.
- x. Cllr A Yiasimi stated his support for the officer's recommendation and sought assurances that everything would be done to assist the Applicant going forward in an expedient manner.
- xi. The ADP advised should the application be refused by Members, the Applicant would be open to appeal the decision, allowing the possibility for a conjoined appeal with an enforcement notice. He affirmed that the planning process was both fair and reasonable.
- xii. The Chairman permitted the Local Member to make an additional representation. Cllr S Bütikofer asked whether the application may be granted subject to conditions that issues on the development be rectified within the next 12 months.
- xiii. The ADP commented that the enforcement process would be best applied in this circumstance, and it would stretch the bounds of a planning condition in law to ask the Applicant to take remedial action to impose a proposal which was previously approved.

- xiv. The PL endorsed comments made by the ADP, and counselled Members that it would not be lawful to require works to be undertaken, and that this was the purpose of the enforcement process. A planning application is one to permit development, not to require it, imposing a condition to require development would be unlawful.

UNANIMOUSLY RESOLVED.

That planning application PF/21/2593 be refused in accordance with the officer's recommendation.

23 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

- i. The ADP introduced the report to Members. He advised that from March an appendix would be added using a traffic light system for negotiations which were ongoing relating to Section 106 agreements that had been agreed by the Development Committee subject the completion and issue of decision. This would enable Members to have a greater understanding as to the status of Section 106 agreements and where delays may reside. Both Major and Non-Major Planning performance for February 2022 remained above the national average.
- ii. Cllr G Mancini-Boyle enquired about the customer service figures with respect of the planning department. The ADP advised that the Development Management Performance report was intended to report on key performance indices and national performance indices. Planning performance improvement progress was being considered by the Overview and Scrutiny Committee.
- iii. Cllr N Pearce asked for conformation that the computerised planning system was operating satisfactorily. The ADP advised that there were regular updates to the computer system and that there were dedicated officers who managed this system. Issues relating to the use of servers, which had created some difficulties had been picked up by the IT team and Planning Officers and were now resolved.

24 APPEALS SECTION

- i. New Appeals
- ii. No questions.
- iii. Inquiries and Hearings – Progress
- iv. ENF/18/1064 Cley-Next-The-Sea - The ADP updated Members and advised that the enforcement appeal hearing would take place in Cley Village Hall on the 22nd and 23rd June.
- v. Written Representation Appeals – In Hand
- vi. PO/20/1327 Sheringham – The ADP advised Members that the planning application had been dismissed by the planning inspectorate. It was noted that all appeals detailed within the report had been dismissed. The appeal record for the Council remained very good, and well above national statistics.

vii. Appeal Decisions

viii. No questions.

25 EXCLUSION OF PRESS AND PUBLIC

None.

The meeting ended at 11.15 am.

Chairman

Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

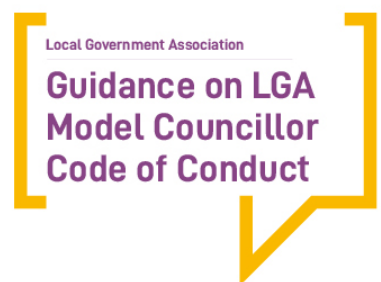
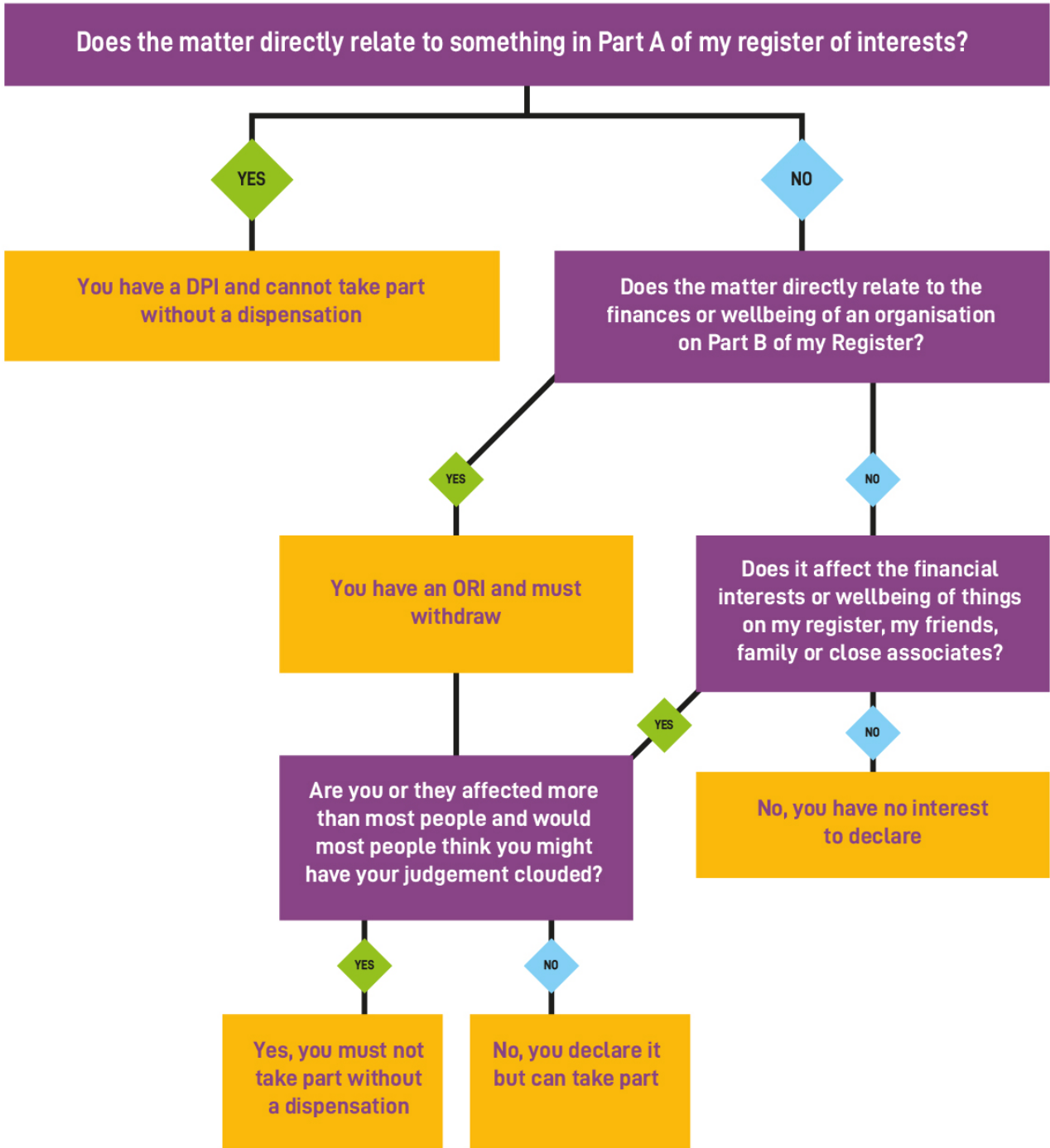
	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <ul style="list-style-type: none">a) any body of which you are in general control or management and to which you are nominated or appointed by your authorityb) any body<ul style="list-style-type: none">(i) exercising functions of a public nature(ii) any body directed to charitable purposes or(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)



Stalham PF/21/1532 – Extra Care development of 61 independent one and two bedroom flats, with secured landscaped communal gardens, associated visitor and staff car and cycle parking, external stores and a new vehicular access onto Yarmouth Road [Description amended on 08/09/2021].

Land North East of Yarmouth Road, Stalham

Major Development

Target Date: 01 September 2021

Extension of Time: None at the time of reporting.

Case Officer: Richard Riggs

Full Planning Permission

SITE CONSTRAINTS

Mixed Use Allocation – Policy ST01

Local Development Framework – Settlement Boundary

Local Development Framework – Countryside

Landscape Character Area – Settled Farmland

Agricultural Land Classification (Grade 1/Non Agricultural)

Area Susceptible to Groundwater SFRA ($\geq 25\% < 50\%$)

Area Susceptible to Groundwater SFRA ($< 25\%$)

EA Risk Surface Water Flooding 1 in 1000

RELEVANT PLANNING HISTORY

Application: PF/21/2021

Address: A new residential development of 40 affordable houses comprising 22 affordable/shared ownership houses and one block of 18 affordable flats consisting of 9, one bedroom flats and 9, two bedroom flats with associated landscaping, infrastructure and access.

Decision: Determination Pending

Application: PF/16/0240

Address: Land Off Yarmouth Road, Stalham, Norwich, Norfolk

Proposal: Mixed use development comprising 34 dwellings and up to 12 commercial / employment / retail / clinic / service / community units within use classes B1, A1, A2, A3, D1 and D2, with new access road and associated landscaping.

Decision: Withdrawn by Applicant (09/04/2021)

Application: PF/12/1427

Address: Land Off Yarmouth Road, Stalham

Proposal: Mixed use development comprising 150 dwellings, B1 (a - c) employment buildings (3150sqm), public open space, landscaping and associated highways and drainage infrastructure

Decision: Approved (20/03/2013)

SITE AND SURROUNDINGS

Stalham is designated as a Secondary Settlement under the Council's spatial strategy in Policy SS 1 of the adopted North Norfolk Core Strategy (2008) in recognition of its role as a gateway location to the Broads and as a local retail and service centre.

The application site is located north of Yarmouth Rd, to the south east of the town centre. It forms part of the wider site allocation under Policy ST01 of the North Norfolk Local Development Framework Site Allocations Development Plan Document (2011). The site is currently undeveloped, although does have an extant planning permission (PF/12/1427) for commercial units. The site is bounded by an existing residential development, with the most recent of these developments being to the north west where 150no. new dwellings and associated public open space have been constructed under planning permission PF/12/1427.

The site lies outside of the Stalham Conservation Area to the west, but is in relatively close proximity to a number of Listed Buildings, including the Grade II Listed Church Farmhouse to the west and the Grade II* Listed Stalham Hall to the east.

The site is also located close to a range of local services and facilities including infant and secondary schools, a doctor's surgery, Stalham High Street, a superstore, and bus stops serving the nearby town of North Walsham (c. 9mi to the north west), Norwich (c. 15mi to the south west), and Great Yarmouth (c. 17mi to the south east).

THIS APPLICATION

This application, as originally submitted, sought full planning permission for the erection of a Use Class C3 62-bed extra care facility with associated gardens and amenity space, car parking, external stores, and a new access road off Yarmouth Rd.

A subsequently amended proposal was received by the Local Planning Authority on 08/09/2021. This reduced the overall number of dwelling units to 61no. and revised the dwelling mix. The scheme offers a range of 1 and 2-bed flats for independent living for the elderly and infirm with on-site access to communal lounge and dining areas, on-site care provision, and other on-site amenities including a guest suite, hair salon, and electric mobility scooter park. The proposed development will consist of 100% affordable housing. The proposed housing mix is:

- 43no. 1-bed flats
- 18no. 2-bed flats

The application is supported by the following documents:

- Application Form
- Location and Site Plan
- Full set of Proposed Plans and Elevations
- Materials Schedule
- Air Quality Impact Statement
- Arboricultural Impact Assessment
- Flood Risk Assessment
- Landscape Schedule and Maintenance Plan
- External Lighting Strategy
- Refuse and Waste Strategy
- Transport Statement and Travel Plan
- Affordable Housing Statement
- Preliminary Ecological Assessment
- Contaminated Land Desk Study
- Design and Access Statement
- Planning Statement
- Information for Viability Assessment

- Projected Employment Statistics
- Drainage Strategy [Revised 06/01/2022]
- Information for Habitats Regulations Assessment

REASON FOR REFERRAL TO COMMITTEE

Cllr Pauline Grove-Jones (Stalham) called-in this application due to the loss of economic development land on this site which currently benefits from extant planning permission under PF/12/1427, in line with Policy ST01 of the North Norfolk Local Development Framework Site Allocations Development Plan Document.

This application has also been submitted in conjunction with application PF/21/2021, which is being determined at committee at the request of Cllr Grove-Jones. As such, the Assistant Director for Planning considers that it is in the interests of good planning to consider both items at the same Committee.

CONSULTATION RESPONSES

NNDC Local Members:

Cllr Pauline Grove-Jones (Stalham) (23/08/2021)

Has expressed her concerns over the loss of employment land, with particular reference to the commercial units permitted under planning permission PF/12/1427, that would result from this application; including the lack of consultation with members before and during the sale of the land from Hopkins Homes to Medcentres. Infrastructure concerns were also raised, with particular reference to the junction at A149/Market Road which this application would impact on, which would in turn cause greater use of alternative rat-use routes.

Cllr Grove-Jones cites correspondence between Cllr Nigel Dixon (Hoveton and Stalham Division, NCC) and NCC's Planning Obligations Team. These comments primarily concern impacts on local infrastructure in terms of library provision and highways safety.

Cllr Matthew Taylor (Stalham) (21/02/2022)

Cllr Taylor has expressed concerns regarding the former use of the site during the First World War as a military encampment and requires that no items of cultural significance are either left undiscovered or destroyed by the construction work.

Norfolk County Council

Cllr Nigel Dixon (Hoveton and Stalham Division, Norfolk County Council) (23/09/2021):

- While the proposal would deliver 35 FTE care sector jobs, it falls way short of the much greater number of high skill higher paid jobs expected from the industrial units.
- The proposal would deprive Stalham of the prospect of its first modern industrial estate, which would bring inward investment essential to address the socioeconomic and deprivation issues of the town.
- There are concerns around the traffic implications from such a change of use, particularly for Sutton because so much eastbound residential traffic from Stalham elects to join the A149 at Catfield, via Sutton, to avoid the hazardous Tesco's junction at Stalham.

- While the independent living with extra care facility and the affordable housing, in principle, is needed across north east Norfolk there's little evidence to show that the adverse implications of losing this site from employment to residential use have been fully explored and certainly not with the residents of Stalham and Sutton prior to both major applications being submitted.
- There has been no pre application public exhibition and consultation to enable the local population to view, fully understand and express views on what's being proposed so that they could influence the applications at the formative stage.
- I request that both applications (PF/21/1532 and PF/21/2021) be held as pending and the applicant be asked to conduct a public exhibition and consultation, as would normally be expected.

Town / Parish Council:

Stalham Town Council – Objects to the proposal.

Initial and subsequent comments were received on 13/07/2021 and 17/01/2022. These detail the reasons of objection from STC. These include; the extant planning permission not being carried out and the loss of commercial land, the joining up of the wider site via walkways and cycleways, and the design being completely out of keeping and overpowering the town. The importance of social care and assisted living is recognised as an area of development that needs addressing, however to have such a large isolated development in this location is not supported.

The in-combination of the proposal and PF/21/2021 will have negative ramifications on the wider town of Stalham. Both applications will increase motor vehicle usage on the highway, additional usage of water/sewage facilities and added demand on public services such as schools and doctors. The proposal does not seek to mitigate any of these wider issues and will only exacerbate existing problems the in both the town and surrounding villages. Further infrastructure and highways safety measures should be sought from the developer. The proposal should also not add pressures in respect of foul and surface water drainage.

There are other planning issues over the layout of the site and scale, mass and design of the 62 [sic] unit facility and they should be addressed once decisions in principle as to whether Stalham, and this site in particular, is the most appropriate site for these developments and in the best interests of Stalham.

Addition comment (19/01/2022) – STC questioned the justification for the loss of employment land. They also submitted Freedom of Information requests relating to the proportional provision of affordable housing and care beds in Stalham compared with the rest of the District. STC contends that Stalham is taking a disproportionate amount of affordable housing and care beds.

Note: An FOI response was received from NNDC Strategic Housing on 09/02/2022. This details that Stalham currently has 14% affordable housing provision. This places Stalham 6th out of the 8 towns within the District in terms of its proportion of affordable housing provision. The need for affordable housing is laid out within Strategic Housing's consultation response later in this report. Similar statistical information pertaining to the proportion of extra care places is not held by Strategic Housing. However, baseline information shows Stalham to currently be on par with other areas of the District which have extra care provision.

North Norfolk District Council:

Conservation & Design – Objects to the proposal. Additional comment (18/02/2022) – Proposed materials acceptable.

Landscape Officer (Landscape) – Objects to the proposal.

Landscape Officer (Ecology) – Habitats Regulations Assessment Appropriate Assessment is acceptable subject to appropriate mitigation.

Environmental Health – Partially objects to the proposal. Conditions proposed.

Building Control – Advice received.

Economic Development – Supports the proposal.

Planning Policy – Advice received.

Strategic Housing – Supports the proposal.

Norfolk County Council:

Lead Local Flood Authority – No objections subject to conditions.

Minerals and Waste Authority – Have no comments to make.

Planning Obligations Co-Ordinator – Advice received.

Public Rights Of Way & Green Infrastructure – No objections.

Historic Environment Service – No comments received.

External Consultees:

Anglian Water – No objections.

British Pipeline Agency Ltd – Comments received.

Historic England – Do not wish to offer any comments.

Health and Safety Executive – No comments received.

NHS England (East) – No comments received.

Broads Internal Drainage Board – Advice received.

Natural England – No objection subject to appropriate mitigation.

REPRESENTATIONS

The public consultation period of 21 days took place between 24/06/2021 to 15/07/2021. Under Paragraph 034 of the National Planning Policy Guidance (NPPG) on Consultation and Pre-Decision Matters, dated 23/07/2019 (Reference ID: 15-026-20190722), Officers have been accepting of public comments made after the close of the consultation period for due consideration throughout the determination process.

A total of 10 representations were made. All 10 of these were objections.

The key points raised in **OBJECTION** are as follows:

- The applicant incorrectly identified the land as being earmarked for housing when planning permission PF/12/1427 shows the land as being for commercial use.
- The proposal would remove already permitted employment uses from the site.
- The proposal will result in the loss of commercial land for which there is local demand, as there are no opportunities for businesses to [re-]locate to Stalham due to lack of space.
- Information submitted under the withdrawn application PF/16/0240 with regard to local demand for commercial development on this site should be taken into consideration.
- Stalham runs the risk of becoming a dormitory town if residential development is given precedence over commercial.
- The original developers should be forced to complete the development as per planning permission PF/12/1427.
- The application would disproportionately increase Stalham's population in favour of the elderly and infirm.
- Pavements to the front of the site which connect to the High St and other local facilities are wholly inadequate for mobility scooters.
- There are a large number of care vacancies across care homes pointing to a lack of demand for this kind of work.
- The provision of local jobs are necessary close to where people live to reduce travel to work and lessen the impacts of climate change.
- The proposal represents overdevelopment of the site.
- Existing surface water drainage features will not support the proposal.
- Clearance works of the site have already commenced prior to planning permission being granted and the site is ecologically diverse.
- The proposal would cause strain on local services (including health care provision) and highways infrastructure.
- The Council should build the permitted employment units.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to:

- Article 8: The Right to respect for private and family life.
- Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

STANDING DUTIES

Due regard has been given to the following duties:

Environment Act 2021

Equality Act 2010

Crime and Disorder Act, 1998 (S17)

Natural Environment & Rural Communities Act 2006 (S40)

The Conservation of Habitats and Species Regulations 2010 (R9)

Planning Act 2008 (S183)

Human Rights Act 1998

Rights into UK Law – Art. 8 – Right to Respect for Private and Family Life
Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

RELEVANT POLICIES

North Norfolk Core Strategy (September 2008):

Policy SS 1 – Spatial Strategy for North Norfolk
Policy SS 2 – Development in the Countryside
Policy SS 3 – Housing
Policy SS 4 – Environment
Policy SS 5 – Economy
Policy SS 6 – Access and Infrastructure
Policy SS 13 – Stalham
Policy HO 1 – Dwelling Mix and Type
Policy HO 2 – Provision of Affordable Housing
Policy HO 3 – Affordable Housing in the Countryside
Policy HO 7 – Making the Most Efficient Use of Land (Housing Density)
Policy EN 2 – Protection and Enhancement of Landscape and Settlement Character
Policy EN 4 – Design
Policy EN 6 – Sustainable Construction and Energy Efficiency
Policy EN 8 – Protecting and Enhancing the Historic Environment
Policy EN 9 – Biodiversity & Geology
Policy EN 10 – Development and Flood Risk
Policy EN 13 – Pollution and Hazard Prevention and Minimisation
Policy CT 2 – Developer Contributions
Policy CT 5 – The Transport Impact of New Development
Policy CT 6 – Parking Provision

North Norfolk Local Development Framework Site Allocations DPD (February 2011):

Policy ST01 – Mixed Use: Land Adjacent to Church Farm, Ingham Road

MATERIAL CONSIDERATIONS

Supplementary Planning Documents (SPDs):

North Norfolk Landscape Character Assessment SPD (January 2021)
North Norfolk Design Guide SPD (December 2008)

National Planning Policy Framework (NPPF):

Section 2 – Achieving sustainable development
Section 4 – Decision-making
Section 5 – Delivering a sufficient supply of homes
Section 6 – Building a strong, competitive economy
Section 7 – Ensuring the vitality of town centres
Section 8 – Promoting healthy and safe communities
Section 9 – Promoting sustainable transport
Section 11 – Making effective use of land
Section 12 – Achieving well-designed places
Section 14 – Meeting the challenge of climate change, flooding and coastal change
Section 15 – Conserving and enhancing the natural environment
Section 16 – Conserving and enhancing the historic environment

Emerging North Norfolk Local Plan 2016 – 2036 (Regulation 19):

Policy ST23/2 – Mixed-Use: Land North of Yarmouth Road, East of Broadbeach Gardens

Other Material Considerations:

North Norfolk Open Space Assessment (February 2020)

Land adjacent to Church Farm, Ingham Road, Stalham Development Brief (2012)

Housing for Older and Disabled People National Planning Practice Guidance (2019)

The Housing our Ageing Population Panel for Innovation (HAPPI) Report (2009)

Homes & Communities Agency Employment Density Guide (3rd Edition) (2015)

Department for Communities and Local Government Technical Housing Standards – Nationally Described Space Standard (2015)

Living Well Homes for Norfolk Position Statement (June 2019)

Living Well Homes for Norfolk Planning Position Statement Extra Care Housing (June 2019)

OFFICER ASSESSMENT

Main issues to consider:

- 1. Principle of Development**
- 2. Design**
- 3. Landscape**
- 4. Amenity**
- 5. Highways Safety**
- 6. Sustainable Construction**
- 7. Heritage and Archaeology**
- 8. Flooding Risk & Drainage**
- 9. Biodiversity**
- 10. Other Material Considerations**
- 11. Planning Obligations**
- 12. Planning Balance and Conclusion**

1. Principle of Development

In accordance with Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004, planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan comprises of the Core Strategy (2008) (CS) and the Site Allocations Development Plan Document (DPD) (2011). Although the Development Plan preceded the National Planning Policy Framework (NPPF), published in 2012 and most recently updated in 2021, the policies relevant in the determination of this application are consistent with the NPPF and are considered to be up to date. The Council can also currently demonstrate that it has a five-year housing land supply and therefore the policies most relevant for determining the application are to be given full weight in decision-making.

Spatial Strategy and Site Allocation

The proposal is located on an allocated site in the North Norfolk Local Development Framework Site Allocations Development Plan Document under Policy ST01 (Land Adjacent to Church Farm, Ingham Road). This policy, alongside the site's development brief, sets out the requirements for new development on this site.

The requirements of Policy ST01 (Part a) state that new development on the site shall incorporate:

- not more than 160 dwellings to be accommodated on-site;
- not less than 2ha of community and low key employment generating uses;
- not less than a 2ha neighbourhood park; and,
- footpath and cycle links joining Ingham Rd, Yarmouth Rd, and the town centre.

In assessing the proposal, it is prudent to note that a large proportion of the site, and most of the allocation requirements, have already been built out by another developer pursuant to the extant planning permission (PF/12/1427). They have delivered 150 dwellings and a large area of public open space and sustainable surface water drainage features to the west of the site. In doing so, they are deemed to have fulfilled certain aspects of the policy requirements above in site allocation terms, particularly in relation to public open space. Notwithstanding that, this application also needs to meet the policy's requirements in its own right, based on the quantum of development proposed, and in line with the other policy requirements in the Development Plan.

With regard to the requirements of Policy ST01 as detailed above, it is clear that the proposal overprovides in terms of the quantum of residential development earmarked in the policy requirements for the site. However, the rationale behind the proposal has been clearly put forward by the applicant in the submitted documentation in relation to the proposal's use as an affordable housing extra care development. This does mean, however, that the proposal is considered to form a departure from the site allocation Policy ST01 in this regard.

In consultation with NNDC Planning Policy, Officers note that whilst the site allocation policy does not require an extra care facility, such as is proposed, the deviation from the policy requirements in this regard is considered to be appropriate due to the demonstrable need for this type of development within the District; as will be assessed below. Officers also note the request that provision for the remainder of the site is brought forward as a scheme of 100% affordable housing.

Emerging Site Allocation

Emerging Policy ST23/2 in the Council's Emerging Local Plan (Regulation 19) makes provision for approximately 80 dwellings, employment land and community facilities, public open space, and associated on and off site infrastructure. The site area broadly aligns with current allocation ST01, with an additional area of proposed developable land to the east.

The proposal would account for 61no. new dwellings on the site and would be employment generating, as will be assessed later in this report. In their consultee response, Planning Policy note that with reference to the proposal, emerging Policy ST23/2 should be considered in a similar vein to that of existing site allocation Policy ST01, as detailed above. It is also important to note that as the Emerging Local Plan is currently at Regulation 19 stage, Officers are able to attribute some, albeit limited, weight to emerging policies in the planning balance.

Extant Planning Permission

The site is already subject to an extant planning permission – PF/12/1427 – which permits mixed use development comprising 150 dwellings, B1 (a - c) employment buildings (3150sqm), public open space, landscaping and associated highways and drainage infrastructure. As previously noted, the residential, public open space, landscaping and

associated highways and drainage infrastructure have already, at least in part, been built out. The provision of the permitted employment units remains outstanding.

A further planning application – PF/16/0240 – for a mixed use development comprising 34 dwellings and a reduction of up to 12 commercial / employment / retail / clinic / service / community units within Use Classes B1, A1, A2, A3, D1 and D2, with new access road and associated landscaping was withdrawn by the applicant in April 2021 after a long period in abeyance pending a viability assessment on the provision of the commercial units. The land was subsequently sold to the current applicant after the withdrawal of the above planning application.

Loss of Potential Commercial / Industrial Units

Officers note the comments received during the public consultation, and from local Members, with respect to the proposed change of land use and the loss of the industrial/commercial units provided for under the extant permission.

It is acknowledged that the proposal would result in the development of this site and therefore the loss of the ability for the permitted B1 units to be built out on this site. However, it is important to view the proposal and the site holistically and in context to garner a full appreciation of local need in respect of the differing use classes. An assessment into the rationale behind the proposal for an extra care facility on this site shall be addressed in the following sections.

Following the granting of the extant permission, the details of the required marketing strategy were approved by the Council through the partial discharge of Condition 28 of planning permission PF/12/1427 on 07/07/2014. Further information pertaining to the reports and findings of the marketing strategy, and wider general advice about the viability of providing new small commercial units in Stalham, were also submitted as evidence under the withdrawn planning application.

These detail the enquiries received and note that of those initially interested, some uses were not compatible with the surroundings and some required the site to be built out prior to use. In all, between July 2014 – September 2015 a total of 11no. expressions of interest were recorded in the marketing strategy quarterly monitoring reports.

Officers note the submission from the Stalham Area Business Forum relating to interest in the commercial units. This gives details of 7no. expressions of interest, with a further 2no. if planning conditions were to be varied to include more use classes. It is unclear whether the interested parties would require a fully built out scheme prior to use, although the submission suggests that that would likely be the case.

Information gleaned from Aldreds Chartered Surveyors on 28/04/2017 as part of the withdrawn application also points to the provision of new small commercial units on this site as being towards the unviable end of the scale. They highlight the cost per square foot (psf) most likely to be attained in Stalham (at that time) as being between £4.50 – £7.50 psf, whereas the cost of new units such as those permitted is in the region of £7.50 – £8 psf.

At the time of writing this report (February 2022), the site was still being advertised by online estate agents for commercial development under the extant permission, although this has now been removed as of March 2022.

Given the above, Officers consider that the quantitative and qualitative evidence bases submitted with regard to the extant commercial units show that it is highly unlikely that there

is a reasonable prospect of the permitted units being built out; having already been on the market since 2013 with no substantive offers having been received.

Under NPPF (Section 11) Paragraph 122, *planning policies and decisions need to reflect changes in the demand for land*. It also states that where an allocated site is under review, as is the case with the preparation of the Emerging Local Plan, *applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area*.

It is also worth noting that there are a number of other existing, and potentially upcoming, areas within Stalham, and more widely in Brumstead to the north, which could facilitate new and expanding businesses in the area. Officers also note that site allocation Policy E12 for c. 4ha employment land adjacent to the A149/Stepping Stones Lane has not yet been brought forward even though it has formed part of the adopted North Norfolk Core Strategy for development since 2008.

Extra Care Needs Based Assessment

As part of their statutory functions, Norfolk County Council (NCC) have calculated the adult social care needs across Norfolk, both in terms of demand for C2 residential/nursing care and C3 extra care housing. In doing so, NCC notes that the over 65 population in the county is expected to *incur the largest increase of any age group in the next 10 years*.

The latest available additional needs housing projections published in the Living Well for Homes in Norfolk Planning Position Statement Extra Care Housing (2019) highlight that North Norfolk's unmet need for extra care housing would be 486 units by 2028, of which 194 are to be at affordable rent levels. This is to serve a projected over 65 population of c. 40,200 people. The existing supply of extra care housing within the District, according to these figures, is 70 units. The figures provided by NCC are also deemed to *err on the side of caution*, meaning that the figures published are likely to be underestimating the actual need for extra care housing within the County and District.

The proposal would provide an additional 61no. 100% affordable extra care dwellings within North Norfolk; almost doubling the existing supply as reported by NCC. Officers do note, however, other recent extra care developments have been permitted/developed within the District, including Stalham (although these offer varying degrees of affordable housing provision).

Depending on how the affordable homes are offered, as assessed below, the proposal could provide almost one-third of the extra care affordable housing need for North Norfolk, as identified above. NCC are also content that the proposal meets their size requirements for this type of development, and is also considered to be in an appropriate location; being close to a town centre. Officers consider that the proposal would significantly contribute to the delivery of a clear and demonstrable need for both extra care and affordable housing within the District.

As such, Officers consider the provision of extra care housing to be a material consideration in its own right in determining this application. This shall be considered against the other policy requirements and material considerations in the planning balance in Section 12 of this report.

Affordable Housing

NNDC Strategic Housing Team has commented on this application highlighting the clear need for affordable housing for older people within the District. Of those on the Council's waiting list (734no. applications from households aged 60+), 178no. households have expressed an interest in living in the Stalham area. Officers note the recent McCarthy & Stone development

in Stalham of an extra care facility at Old Market Road, however none of the dwellings therein have been provided as affordable housing. It is considered, therefore, that the proposal would provide a complementary and alternative option for extra care accommodation within the Stalham area.

This application is proposing 100% affordable housing for the 61no. extra care dwellings herein. These will be a mix of affordable rent and shared ownership properties, although Strategic Housing Officers note the preference for affordable rent. The affordable housing provision will be secured via a Section 106 Agreement. The extra care facility is then to be run by a Registered Provider, Housing 21, who specialise in independent extra care living for elderly people.

To accord with the comments received from Planning Policy with regard to affordable housing, the applicant has also submitted application PF/21/2021 for consideration in conjunction with this application. Application PF/21/2021 seeks permission for a scheme of 40no. affordable dwellings to the north and south of the proposed extra care facility on the remainder of the site. Application PF/21/2021 shall be determined separately and on its own merits, however Officers note the close relationship between these two applications, and the more holistic approach to the development of the overall site that they provide in conjunction with each other. It is further noted that the two schemes would deliver a combined total of 101no. affordable dwellings.

Given the provision of 100% affordable housing inherent in this proposal, Officers consider that the proposal meets, and exceeds, the requirements of Policies HO 2 and HO 3 of the adopted North Norfolk Core Strategy. Officers also note that the provision of 100% affordable housing is a material consideration in its own right. This shall be assessed alongside the other policy requirements and material considerations in the planning balance in Section 12 of this report.

Employment Generation

The proposal is expected to generate at least 35no. new jobs (including both full time (FTE) and part time (PTE)). The applicant has detailed some of the specific types of employment opportunities that will be generated by the proposal. These are set to include, but are not limited to, nor bound by, the following employment opportunities:

- 1no. Housing and Care Manager (FTE);
- 2-3no. Assistant Care Managers (FTE);
- 1no. Assistant Housing Manager (PTE);
- 1no. Care Co-ordinator (PTE);
- 2no. Cleaning staff (FTE);
- 1no. Activities Co-ordinator (possible PTE);
- 2no. Kitchen staff (depending on the management of the on-site kitchen);
- 1no. Grounds and Maintenance staff (FTE); and,
- Approximately 20no. care staff (FTE) with additional PTE opportunities.

When assessed alongside the relative potential of the employment generation densities of traditional B1 (a-c) Use Class developments, which could be developed on this site via the extant planning permission PF/12/1427, Officers consider that the proposal is broadly consistent with the potential scope of these uses' employment densities; as detailed further below.

According to the Homes & Communities Agency's Employment Density Guide (3rd Edition,

November 2015), the employment density per sqm per FTE for Class Uses B1 are typically on average between;

- B1(a) (General Office) – 8-13 sqm
- B1(b) (Research and Development Space) – 40-60 sqm
- B1(c) (Light Industrial) – 47 sqm

Although the Guide does not contain a specific calculation for extra care developments in terms of their C3 use, the estimated projected employment density of this proposal is c. 66 sqm per FTE (worked out as 2,005 sqm overall building footprint ÷ 30 FTE (as a reasonable estimate based on the projected employment opportunities detailed above)). Please note that this is a broad approximation based on the calculation matrix detailed in the Guide and not a detailed breakdown of the proposed provision.

In this regard, the proposal is at the lower end of the employment density spectrum when compared with B1 uses, however it is still considered to be broadly within the same employment density bracket as the extant permission could generate on this site. Officers also note the wide range of employment opportunities available through the proposal, which will cater for people with a range of skills and experiences.

It is important to note that on 1st September 2020, the Town and Country Planning (Use Classes) Order 1987 (as amended) was altered. This alteration removed Class Use B1 (Business) from the Order and replaced it under the new Class E (Commercial, Business and Service). No amended advice or guidance on employment densities currently exist taking this amendment into account. As such, Officers are only able to use the information and guidance currently available in the assessment of this application; notwithstanding any potential future changes to the guidance.

During consultation with Planning Policy, Officers noted that the approach taken by the proposal would be considered to be an appropriate deviation from the site allocation Policy ST01, and emerging site allocation Policy ST23/2, as a result of the demonstrable need for extra care within the District and the employment generation therein. Economic Regeneration have also reviewed the application and recognise the potential economic benefits derived from the proposal, specifically citing the creation of 35no. new jobs.

Therefore, the proposal is considered to provide a significant public benefit to the local economy of Stalham with regard to employment generation, in line with NPPF (Section 6) and in broad accordance with the aims of Policy SS 5. Officers also consider that the projected employment generation of the proposal should be regarded as a material consideration in its own right in determining this application.

Summary of Principle of Development

Given that this is a full application on an allocated site, Officers note that the requirements of the Council's spatial strategy under Policies SS 1, SS 2, SS 3 and SS 13 are applicable. As such, the proposal is located within the Countryside and is therefore considered to be only partially in accordance with these policies, as it has not been demonstrated that the proposal requires a more rural location. However, the site allocation is deemed to outweigh this policy departure insofar as it recommends the site as being suitable for residential and commercial development. Even in light of this however, the proposal is not considered to be in full accordance with Policy ST01 as there is no current requirement for an extra care development on this site and the proposed residential provision is already almost completely built out under PF/12/1427. Officers do note, however, Planning Policy's comments with regards to the provision of the development recognising the clear and demonstrable needs for extra care and

affordable housing, and NCC's comments regarding their spatial requirements for such developments. This policy departure and any mitigating circumstances shall be weighed up in the planning balance in Section 12 of this report.

The proposal is considered to be broadly in accordance with the aims of Policy SS 5 in relation to employment generation, as well as in accordance with Policies HO 2 and HO 3 of the adopted North Norfolk Core Strategy with regards to the satisfactory provision of affordable housing.

2. Design

Housing Mix, Type and Density

This application proposes a housing density of 61 no. dwellings over 0.96ha. This is in excess of the 40 dwellings per hectare required under Policy HO 7. Given the context of the proposal as self-contained apartments over three storeys to meet an identified need, the justification for a greater density is considered to have been demonstrated. Notwithstanding this, C&D note that the proposal shows some of the hallmarks of overdevelopment in terms of its design and setting. Officers note this position and consider that the proposal is moving towards being considered overdevelopment of the site, but also note the justification demonstrated in its housing provision.

Under Policy HO 1 in relation to dwelling mix and type, the proposal is considered to be exempt from the policy requirements as a sheltered/supported accommodation scheme which addresses an identified local need. However, the proposal is still considered to meet the policy requirements insofar as it provides dwellings suitable for occupation by the elderly, infirm or disabled.

The policy requirement to demonstrate that the proposal does not prejudice the development of land safeguarded for employment uses has already been assessed under Section 1 of this report. The policy requirement for the proposal to demonstrate that it does not detract from the character of the surrounding area shall be assessed in the following section, and further in Section 4 of this report.

Layout

The proposal forms an 'L'-shaped building sited north-east to south-west within the site. To the rear of the proposed building to the east would be the residents' communal garden. To the north lies an area of open green space, and to the east is the site entrance and car parking and refuse storage and collection areas. The refuse and cycle parking areas form a gateway into the site as they bound either side of the vehicular and pedestrian access into the site. There is also a smaller area of amenity green space to the south. Additionally, there is a proposed electric sub-station located to the south west of the site, outside of the proposed car park area, with its own access onto the new roadway.

Internally, the proposal follows a similar layout across its three storeys with stair and lift access throughout. The majority of the 2-bed dwellings are located in the south-western wing of the building, with 1-bed dwellings forming the majority of the northern wing across the first and second floors. These are interspersed with staff areas, internal refuse and plant stores, and a guest suite for overnight visitors located on the first floor. The ground floor provides more in the way of communal areas for residents and houses the facility's main staff areas and managers' offices, kitchen, hair salon, and internal mobility scooter area.

The building footprint of the proposal measures c. 88m in length along the main north-western elevation, c. 42m in width along the south-western elevation, and has a depth between c. 17m – 22m; with the greatest depth being measure centrally at the main entrance. The main entrance itself measure c. 20m across. The external footprint of the proposal is 2,005 sqm and has a ground floor Gross Internal Area (GIA) of 1,892 sqm. The height of the proposal measures between c. 10m – 14m across the various roof lines, with the lowest height being at the north-eastern section of the building, and the tallest roofline being centrally located across the main span of the building.

Conservation and Design Officers have objected to the proposal in this regard as the proposal would sit heavily within the site and its wider surroundings due to its scale.

Form, Scale and Massing

The design of the building has gone through a number of iterations, with some elements being amended or removed following consultation with Conservation & Design and Landscape consultees, as well as comments received from the Town Council and members of the public. However, it is noted that the proposal has been primarily designed around its functionality of being an extra care facility, insofar as its width and roof pitches are dictated by the use of a central corridor with flats on either side. This also leads to the provision of very regular window patterns across the elevations which are formulaic and overly-regimented, and a repeated sectionality to the overall design of the building.

The applicant has attempted to add some variation into the elevations through the use of different materials and including some articulation into the roofline and across the elevations. They have done this through the use of a prominent main entrance and the provision of balconies to add some depth across the building's span. The inclusion of dormer windows in places across the second floor has also been built in to try and lessen the linear emphasis of the main elevations which serve to anchor the building into the site.

The main entrance forms its own unique aspect to the main elevation as it uses a snub gable type roof, flanked by a flat roof to either side. The main entrance also includes a large balcony area at the first floor which protrudes forward of the main elevation to form a covered entranceway into the building. The applicant has also proposed the use of larger areas of glazing in this area to differentiate its internal use more for communal/managerial use than residential; although Flats 38, 60 and 61 are located in this area of the first and second floors.

Conservation and Design have considered the revised design of the proposal and note its attempts to mitigate, in design terms, against its size and proportions. However, their objection to the proposal is predicated on its incompatible form and character with the prevailing form and its predictable and regimented aesthetic design, which in places forms harsh juxtapositions with the overall aesthetic and is considered to be *relatively graceless*. C&D also note that the front of the site is parking-dominated which leaves little room on-site for the development of an appropriate setting for the proposal. They also note that the proposal is unlikely to be compatible with the form and character of the area.

Officers note the presence of 3-storey elements to the residential development on the wider site allocation to the west. Although the proposal would be significantly larger than these flats in terms of its footprint, 3-storey development is not completely alien in this area of Stalham as a result of these other buildings. Elsewhere in the vicinity of the site, examples of further 3 and 4-storey residential development can be seen on Old Market Road, notably in the residential flats and new extra care facility which border the highway.

Officers have taken consultee and public comments into consideration and broadly concur with the assessment made by Conservation and Design in terms of the proposal's design

limitations and impacts. It is noted that the applicant has responded to the comments made during the iterative design amendments. Ultimately, however, the design of the proposal is still considered to be largely incongruous with the prevailing form and character of the area. Whilst attempts have been made to lessen the impact of the proposal in design terms, which work to some degree, the proposal is still considered to be lacking in outstanding or innovative design, regardless of its inherent limitations as a functional building first and foremost.

Materials

The proposal would be constructed predominantly from Longwater Gresham and Brancaster blend bricks, with areas of Hardie Plank Iron Grey, Teckwood Stone Grey, Corten Steel (weathered), and Weber Ivory cladding around the main entrance and in areas of the eastern and south-western elevations. The two roof elements are proposed to be constructed of Redland Fenland Farmhouse Red or Sandtoft Shire Terracotta Red pantiles across the central span of the building, with Sandtoft New Rivius Antique slate on the northern and southern wings. The external windows and doors are proposed to be white UPVC, with black UPVC rainwater goods throughout.

These exact materials to be used within the development can be secured by conditions to ensure that the materials to be used are satisfactory. The same materials shall also be used for the bin storage areas, with further details of cycle parking areas to be secured by conditions. Conservation and Design Officers have confirmed that the proposed materials are acceptable, notwithstanding the concerns raised in relation to the overall design of the proposal.

On-Site Landscaping

As part of this application, 9no. mature trees at the site entrance on Yarmouth Rd are set to be removed to facilitate the new access road and visibility splays, as detailed in the submitted Arboricultural Impact Assessment (ref: JBA 21/235 AR01 Issue A, dated 22/07/2021). This is considered to significantly alter the character of the area and the approach to Stalham from the east. Landscape Officers have expressed their concerns over this and have recommended that replacement large tree stock of similar species are planted in this area as mitigation.

A revised landscaping scheme has been received for the area surrounding the proposed building following consultee comments from Landscape Officers. This revised scheme has strengthened the site's eastern boundary by retaining the full length of the existing mature hedgerow. It also makes use of more native species and wildflower areas across the site, noticeably at the north-eastern corner where a new walkable feature has been included. The communal garden area has also been amended to include more areas of soft landscaping. This has been achieved by reducing the size of the hardstanding communal terrace, but is considered to be an improvement. There is also provision for suitable garden walkways with seating, raised beds and a small allotment-type growing garden.

Elsewhere on the site, the western boundary and proposed electricity substation to the south-west are bordered by Beech hedging and are accompanied by a prominent Sweet Chestnut, Lime and Swedish White Beam. Other species including Silver Birch, Rowan and various fruit trees are also to be planted throughout the site.

Landscape Officers have commented on this revised landscaping scheme during an informal phone call on 15/10/2021 and note that whilst the changes made constitute an improvement to the on-site landscaping, it is not enough to remove Landscape Officers' objection in this regard. This objection shall be further assessed alongside the other policy and material considerations of the proposal in the planning balance in Section 12 of this report.

Officers note that the proposal includes a numbers of trees lining the proposed access road (mostly within the curtilage of the proposed extra care building, but not exclusively) in line with the recently added requirements under NPPF (Section 12) Paragraph 131.

Summary of Design

Having assessed the design of the proposal and its implications and impacts in conjunction with comments received from the relevant consultees and members of the public, Officers note that the proposal is deemed to be on accordance with Policy HO 7 of the adopted North Norfolk Core Strategy.

However, it is also considered that the proposal is contrary to the requirements of Policy EN 4, the relevant parts of Policy HO 1, the North Norfolk Design Guide SPD, and NPPF (Section 12). This policy departure will be weighed against the other policy requirements and material considerations in making a recommendation for this application in Section 12 of this report.

3. Landscape

Landscape Character Assessment

The site lies within Settled Farmland (SF1: Stalham, Ludham and Potter Heigham) Landscape Character Area, as defined in the adopted North Norfolk Landscape Character Assessment SPD. Stalham is the main settlement within a landscape characterised by flat arable topography bordered by woodland fringing the Broads. Edge of town development and settlement expansion pressures on the edge of Stalham is cited as a potential detracting factor in this otherwise rural character area. So too is the increase of light pollution associated with new development on the sense of remoteness, tranquillity and dark skies associated with this landscape type.

Notwithstanding the site allocation on which the proposal is located, due to the large size and scale the proposal, which is out of keeping with the prevailing settlement pattern and form, it is not considered be informed by or be sympathetic to the local landscape character. Nor is it considered to protect, conserve or enhance the special qualities and local distinctiveness of the area. As such, the proposal is considered to form a departure from Policy EN 2 in this instance. This policy departure shall be weighed against the other policy requirements and material considerations in Section 12 of this report.

4. Amenity

Residential Amenity

During this section of the report, Officers will consider the effects of the proposal on both the nearby existing dwellings, as well as the dwellings proposed under application PF/21/2021. It is noted that PF/21/2021 does not have planning permission at this juncture, however it is considered appropriate to assess to the potential effects of the proposal on the residential amenities of these proposed dwellings as a matter of course. Officers note that the details of PF/21/2021 may be subject to change, and that this is a cursory assessment of the potential amenity impacts of this proposal.

Distances to existing dwellings – The proposal is sited such that it is located c. 31m away from the nearest existing dwellings to the north west; across the proposed access road. The closest existing dwellings to the north and north-west are located c. 31m and 59m away respectively.

To the south, the closest existing dwelling is c. 38m away from the proposal. There are no existing dwellings immediately to the east of the site.

Distances to proposed dwellings under application PF/21/2021 – The proposal would be located centrally within the remaining wider site allocation with new dwellings being proposed to the north and south. The closest proposed dwelling to the north of the proposal is located c. 34m away. To the north-east, the closest dwelling is c. 11m away. The proposal is located c. 10m away from the proposed flats to the south-west and c. 57m away from the dwellings at the southern boundary of the site.

Overbearing – Although Officers recognise the dominance that the proposal would have in the landscape, the direct impacts on the residential amenity of nearby occupiers in terms of overbearing is being considered in this section. The proposal is 3 storeys in height and forms a relatively large wall of development. Given the size of the proposal, it is inevitable that it would have some effect on neighbouring occupiers, however it is considered that given the separation distances to existing dwellings and its setting within the site, the proposal is unlikely to have a significant detrimental effect on existing dwellings in terms of over-dominance or overbearing.

With regard to the proposed dwellings under PF/21/2021, the proposal is considered to not have an overbearing effect on the block of flats or dwellings to the south due to the staggered siting of the buildings, nor the majority of the proposed dwellings to the north/north-east. However, Officers note the relatively close proximity of the proposal to Plot 22 to the immediate north-east of the site.

The applicant has taken heed of this and has reduced the overall footprint of the proposal by c.10m at its northern end and has lowered the roof height of this section of the proposal to c. 10m. The proposed height for Plot 22 is c. 8m. Given this, and the offset angle of the proposal to that of the proposed dwelling, Officers do not expect that the proposal would lead to a significant detrimental effect in terms of overbearing on the adjacent proposed dwelling. Although Officers do recognise that the proposal would be readily seen from the rear garden.

Overshadowing – The proposal lies on a loose north-south axis. Given this, it is expected that the car parking area to the west of the proposal would be shadowed during the morning, with the residents' communal garden area to the east being in shadow during the afternoon/evening periods. Each habitable window is expected to receive natural sunlight at different times throughout the day.

The proposal is considered to be significantly far away enough from the existing dwellings to the north-west, being c. 31m over the proposed access road, so as not to cause an issue in terms of overshadowing on neighbouring dwellings.

Similarly, the proposal is not expected to directly overshadow the proposed dwellings under PF/21/2021. The exception for this being Plot 22 (and to a lesser extent Plot 21) to the north-east, where it is likely that some of the private garden would be in shadow during the afternoon/evening period. However, Officers do not consider that the property would be significantly detrimentally affected by this, as it would still have access to sunlight during the first half of the day.

Overlooking – The North Norfolk Design Guide SPD provides the minimum acceptable distances from window to window in order for developments to maintain appropriate levels of residential amenity in terms of privacy. With regard to nearby existing dwellings, the proposal is not expected to cause a significant detrimental effect in terms of overlooking, as the separation distances between them and the proposal, in all directions, are considerably more than the prescribed standards in the Design Guide.

For the proposed dwellings under PF/21/2021, there are two areas which are closer to the proposal. These are the proposed block of flats to the south-west, and Plot 22 (and Plot 21 to a lesser extent) to the north-east.

The extra care apartments to the south-west corner of the proposal have a bedroom window facing in the direction of the proposed block of flats. Officers note, however, that the two buildings are offset from each other and do not overlook. As such, the proposal is not considered to cause a significant detrimental effect on the proposed flats to the south-west.

With regard to Plot 22, Officers note that there are no windows shown on the proposal that directly overlook the proposed dwellings, apart from a small area at the south-west of the rear garden of Plot 22. However, the proposal does contain provision for balconies on the first and second floors c. 6m away from the boundary of the Plot 22. It is noted that the balconies face south-east and sightlines miss the curtilage of the proposed dwellinghouse when looking straight ahead. However, it is considered that the use of the balconies would likely cause a detrimental effect on the residential amenity of the future occupiers of Plot 22 (should permission be granted for PF/21/2021) as the proposed landscaping mitigation takes time to grow and fill out as proposed. Given this, the proposal is not considered to cause a significant detrimental effect in the long-term, but it is recognised that in the short-term, the effects of overlooking from the proposal may be more pronounced until the mitigative landscaping has been planted/sufficiently matured.

Loss of outlook – The proposal will have an inevitable effect on neighbouring occupiers' outlooks due to its size and location. However, Officers note that the application site already has extant permission for additional built form, and the emerging site allocation would also likely incorporate additional built form in this area. It is therefore considered that the amenity impacts in terms of neighbours' loss of outlook onto a green open space is not significant and would be likely to occur whether under this application, the extant permission, or another future application.

Future occupiers – The proposal is considered to offer good levels of residential amenity for future occupiers in line with the Housing our Ageing Population Panel for Innovation (HAPPI) guidelines for housing for older people. The flats are of a size that either meet or exceed the minimum space standards required for dwellings of their relative capacities. Each of the flats also has access to outdoor space and direct sunlight, whether that's via direct access into the garden/amenity green spaces, or via a balcony. On-site access to other communal amenities – such as the hair dresser, on-site care, access to mobility scooters, and a communal garden area – is also considered favourably in this unique instance.

For a proposal of this quantum of development, it is required to provide not less than 790 sqm of on-site amenity green space. The proposal provides c. 1,753 sqm of amenity green space to the north and east of the building. Approximately 1,217 sqm of this total forms the communal residential garden area at the east of the site, with the remainder being located to the north of the building as an area of open space.

Given the above, and noting the potential detrimental but not likely significant impact on the residential amenity of neighbouring occupiers at proposed Plot 22 in terms of overlooking, it is considered that the proposal is broadly in accordance with the requirements of Policy EN 4 in regard to amenity in this unique instance.

Air Quality

The applicant has submitted an Air Quality Screening Assessment (AQSA) in support of this application. The Assessment provides suggested mitigation measures to reduce the impacts

of construction by way of a Dust Management Plan to minimise all emissions from construction activities on-site. Environmental Health have reviewed the report and its findings and are content with its conclusions. A pre-commencement condition shall be secured, with prior agreement from the applicant, for a Construction Management Plan (to include a Dust Management Plan) to be sought and implemented for the duration of construction works.

Noise

As part of the submitted documentation in support of this application, the applicant has provided some broad details about the proposed noise generating aspects of plant and machinery to be used within the proposal, and have suggested possible means of mitigation. These include the use of sound attenuating doors within the development and time/condition limited use of some of the proposed air conditioning units.

Environmental Health have reviewed the information submitted on a number of occasions and found it to be lacking in detail. They have therefore objected to the proposal in this regard. Comments have also been received from Building Control in relation to the potential internal noise of the development. They note that issues of internal noise levels are considered under Approved Document E of the Building Regulations 2010 (as amended).

This document provides guidance on the resistance to the passage of sound in new developments and provides guidance on sound proofing; including the transmission of sounds between walls, ceilings, windows and floors. It also covers unwanted sound travel within different areas of a building, including common areas within buildings containing flats, and in-between connecting buildings. It further requires the standard level of sound reduction to be 45dB (being the minimum reduction) to achieve compliance. Compliance with the Building Regulations will be achieved by building to approved robust details and standards and will be checked through the use of on-site pre-completion testing during the Building Control inspection phases of construction.

Environmental Health have requested that conditions are secured to ensure that the proposal will not have a significant detrimental effect on residential amenity in terms of the types and specifications of plant/machinery to be used on-site. Officers are in agreement with this position and the relevant details can be secured via conditions.

Odour

Similarly to the noise information submitted, the applicant has submitted some broad information about the odour generating aspects of the proposal. Environmental Health have raised particular concerns in relation to the extraction system to be used in the ground floor kitchen, and its placement on the exterior of the proposal, which is likely to be directly underneath Flat 24, and the proximity of the smoking shelter to the bedroom windows of Flats 31 and 53.

The smoking shelter has since been moved to the northern elevation and is located alongside a stair well with no habitable windows in the vicinity. The need for a smoking has been questioned as it is not a requirement in law, however the applicant notes that the Registered Provider requires it as part of their management agreement. Whilst this moves the smoking shelter into a more prominent position in view of the proposed dwellings to the north, Officers consider that the compromise in its current placement will have a positive effect on the residential amenity of future occupiers of the extra care flats by moving it away from habitable windows, and is only expected to have a minimal effect on the outlook of potential future occupiers of the proposed dwellings to the north. The applicant has also highlighted that the kitchen will likely only provide light meals and rely heavily on the use of microwave ovens for their preparation.

In light of this, EH have removed their requirement for an Odour Impact Assessment. However, conditions can still be secured for the exact details of the ventilation and extraction systems to be used throughout the proposal, including their output locations on the external elevations, and a plan for their continued management and maintenance.

External Lighting

A revised external lighting plan has been submitted, based on comments received from Landscape and Environmental Health consultees, which details the locations and details the types of external lights proposed to be used on-site. These include feature soffit down-lighters around the main entrance, wall-mounted lights at regular intervals across the elevations and mounted below 1.8m, and bollard lighting being proposed in areas of hardstanding such as the car park and along the garden path at the east of the site. The external lighting is only to be used when required and will not be dawn 'til dusk. Conditions can be secured to implement and maintain an acceptable external lighting strategy.

Refuse Storage and Collection

The applicant has submitted a Refuse and Waste Strategy in support of this application. This details that both internal and external refuse storage will be provided on-site. These will include;

- Internal
 - 3no. 240 litre general waste bins per floor
 - 3no. 240 litre recycling waste bins per floor
- External
 - 8no. 1100 litre general household waste bins
 - 8no. 1100 litre recycling bins

A composting area to the south-east of the site is also being proposed. Environmental Health have reviewed the submitted strategy and note that commercial and other waste generated by the kitchen, on-site hair salon, and smoking area will also need to be incorporated into the strategy. EH have suggested conditions in relation to the provision of a full Refuse and Waste Strategy. This shall include details of storage for household and recycling waste, commercial waste, medical waste, compost area management, full details of the internal and external bin stores, suitable vehicle tracking, and waste collection means and frequencies. Officers are content with the approach proposed and shall secure the relevant information via conditions.

Summary of Amenity

In light of the above assessment, it is considered that the proposal is in broad accordance with the requirements of Policy EN 4 in terms of not having a significant impact on residential amenity of existing neighbouring and future occupiers. It is also considered that the proposal is also in broad accordance with Policy EN 13 of the adopted North Norfolk Core Strategy, with relevant conditions being secured in liaison with the relevant consultees to ensure a satisfactory development in terms of pollution and hazard prevention and minimisation.

5. Highways Safety

Location Sustainability

The proposal is located to the northern end of Yarmouth Rd and is sited relatively centrally within the wider town. The site provides easy access by foot to Stalham High St, c. 180m west,

which hosts a range of local services and facilities including shops, cafes, pubs, a post office and the local library. However, the quantum of local services on offer in the area is considered to be limited in Paragraph 2.9.33 of the support text to Policy SS 13. Policy SS 13 also notes that due to this limited quantum of local services, developments should be sought which allow for a mixed use approach to housing and employment opportunities to help create a more balanced and self-contained community. As the proposal is deemed to be employment generating and will house some of its own services (e.g. hair dressers and care/medical assistance) and will, in effect, create its own somewhat self-contained community, it is considered to be in accordance with this aspect of Policy SS 13.

As the red line boundary of this proposal does not extend far enough northwards, the proposal is unable link the existing footway through the residential development to the north to this application, in its own right. However, Officers do note that this link is proposed to be maintained via application PF/21/2021, which falls within the blue line boundary of the same site ownership and seeks to infill the land to the north of this proposal and link the wider site together. Notwithstanding PF/21/2021, as the blue line boundary extends to the area to accommodate the link footpath, this can be secured by conditions.

The site is also c. 380m from the local superstore to the west, and is c. 140m away from the local doctor's surgery to the south west. The site also lies adjacent to bus stops serving the nearby town of North Walsham (c. 9mi to the north west), Norwich (c. 15mi to the south west), and Great Yarmouth (c. 17mi to the south east). These routes are served relatively frequently throughout the day. The proposals are also set to offer the use of up to 12no. electric mobility scooters for residents to facilitate ease of access to the wider area.

Officers again note Norfolk County Council's requirements in regard to the site being considered to be sustainable for this type of proposal, as an edge of town extra care development.

The proposal is therefore considered to be sustainably located and provides good access to Stalham and wider areas without an over-reliance on private transport as the principle mode of travel. As such, the proposal is considered to be in accordance with Policy SS 6 in this regard.

Impacts on Highways Safety

The proposal will create a new road access onto Yarmouth Rd; a 30mph residential highway. The applicant has submitted a Transport Statement and Travel Plan detailing the expected trip generation resulting from the proposal and other means of access and sustainable transport opportunities. Given the likely private transport needs of future residents, staff trip generation, and required on-site deliveries, the submitted information details a likely peak-time trip generation of c. 18 vehicle movements into and out of the site, based on TRICS (Trip Rate Information) data.

Comments received from the local District and County elected members in terms of highway infrastructure concerns and potential mitigations have been noted and assessed as part of this application. However, the proposal is not expected to generate an unacceptable amount of additional traffic on the local highway network, nor have any planning obligations been required by the Highways Authority which would require the facilitation of off-site highways improvements works as part of the proposal in order to make the proposal acceptable in highways safety terms, other than the provision of new footpaths, a crossing point at the site entrance, and the relocation of lampposts and telecoms boxes.

The Highways Authority note they do not have an in principle objection to the proposal, and the queries raised by them in terms of technical details have been satisfactorily resolved for

this stage of the application process. A number of conditions have been proposed, which are detailed further at the start of this report, which Officers are content to secure to ensure that the proposal does not have an unacceptable impact on the local highway network or highways safety.

As such, the proposal is considered to be in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy and NPPF (Section 9), particularly Paragraph 111 in this instance.

Car and Cycle Parking

Under Policy CT 6 and Appendix C: Parking Standards of the adopted North Norfolk Core Strategy, the required number of on-site car parking spaces for the proposal, insofar as it relates to C3 housing designed as sheltered housing, or for those with even higher dependency and support needs, is:

- Car parking – 28no. spaces
- Cycle parking – 14no. spaces

Under this proposal, provision has been made for the following:

- Car parking – 50no. spaces
 - Disabled spaces – 3no. spaces
 - Electric Vehicle Charging Points – 2no. spaces
- Cycle parking – 16no. spaces

Officers note the provision of adequate cycle parking provision within the proposal. There is also adequate provision of disabled car parking spaces (6%) as required by the parking standards. The provision of the 2no. Electric Vehicle Charging Points is welcomed as there is not currently a policy requirement to do so. However, Officers also note the overprovision of car parking of 22no. spaces.

The applicant had initially erroneously calculated the required provision based on the Council's car parking standards for C3 dwellings, and not the C3 dwellings for older people with dependency or support needs. However, it is noted that the provision of C3 residential use car parking spaces prescribed in Appendix C are the minimum standards required, as detailed in Paragraph C.1 of the supporting text.

Officers note the over-prescribed quantum of car parking spaces, of approximately twice as many car parking spaces as required under policy, which could be put to better use as additional soft landscaping and/or amenity green space, which would likely be seen as a public benefit of the proposal. With this in mind, the proposal is considered not to be in accordance with the requirements of Policy CT 6 and Appendix C: Parking Standards of the North Norfolk Core Strategy in this instance, as the overprovision has not been satisfactorily justified.

6. Sustainable Construction

Policy EN 6 outlines the Local Planning Authority's approach to sustainable construction and energy efficiency, including the provision of on-site renewable energy technologies to provide at least 10% of predicted total on-site energy usage for developments over 1,000sqm or 10 dwellings (new build or conversions).

North Norfolk District Council declared a Climate Emergency in 2019, and the recent publication of the Intergovernmental Panel on Climate Change (IPCC) report (2021) has

demonstrated that *human influence has unequivocally impacted on our changing climate*. NNDC's commitment to tackling climate change is considered to be an important consideration in determining this application; so too are the provisions of NPPF (Section 14) Paragraphs 154 and 157. These require applicants to build-in climate change/renewable energy mitigations from an early stage within their schemes, and comply with LPA policy requirements for the use of decentralised energy supplies within development proposals.

The applicant has submitted broad details of the measures and renewable energy technologies that will be used in the proposal in order to meet the requirements of Policy EN 6. This information details that the proposal will make use of a 'Fabric First' approach to development; which involves maximising the performance of the components and materials that make up the building fabric itself. Additionally, the submitted information details the use of mechanical ventilation and heat recovery (MVHR) units and renewable heating and hot water systems, such as air source heat pumps.

The applicant also notes the potential for the use of solar photovoltaic panels at a future juncture to provide additional renewable energy at the site. The provision of Electric Vehicle Charging Points is considered to be a positive addition to the scheme, as these are not currently required by adopted policy and will help to futureproof provision.

The information provided does not specifically detail what percentage of total on-site energy usage these proposed measures will offset. As such, pre-commencement conditions shall be secured to provide the exact details of all measures to be used, along with calculations to demonstrate the percentage output achievable for this scheme. As such, Officers consider that the scheme is in accordance with the requirements of Policy EN 6 and the relevant parts of Policy SS 4 in this unique instance.

7. Heritage and Archaeology

Listed Buildings and Conservation Area

Under the provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and NPPF (Section 16) Paragraph 200, special attention is to be paid to the desirability of preserving or enhancing the character or appearance and settings of Listed Buildings or any features of special architectural or historic interest, and the character of the Conservation Area.

In considering development proposals affecting heritage assets, Core Strategy Policy EN 8 sets out that development that would have an adverse impact on special historic or architectural interest will not be permitted. However, this element of Core Strategy Policy EN 8 is now not fully consistent with the guidance set out in the National Planning Policy Framework which is more permissive towards allowing development affecting heritage assets but only where there are clear and convincing public benefits in favour, in accordance with the statutory requirements set out above.

The site lies c. 35m to the west and outside of the Stalham Conservation Area. However, it is located c. 90m east of the Grade II Listed Church Farm complex. Further to the east of the proposal site lies the Grade II*/Grade II Listed Stalham Hall complex. Given the proposal's proximity to these assets, its impacts are considered to be indirect and confined to the settings of these assets.

In consultation with Conservation and Design, the proposal's proximity to these nearby heritage assets and its form and scale, as detailed in Section 2 of this report, are considered to cause a level of harm to the significance of these assets. However, it is also noted that there

has already been a degree of sustained change in this area of Stalham, and that the harm caused by the proposal on the significance and setting of the Stalham Conservation Area and nearby Listed Buildings is towards the lower end of less than substantial.

NPPF (Section 16) Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. NPPF (Section 16) Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

In noting the provisions of the NPPF, Officers recognise that there are public benefits associated with the proposal, but that great weight must also be given to conserving the significance of the nearby heritage assets. The weightings of the public benefits of the proposal and the lower end less than substantial harm on the significance and settings of the nearby heritage assets shall be further assessed in the planning balance in Section 12 of this report, alongside the other policy and material considerations in this application.

Archaeology

The site is known to contain some elements of archaeological interest, as considered under extant planning permission PF/12/1427. Condition 33 of this permission required an Archaeological Written Scheme of Investigation to be undertaken across the whole of the site, including the areas covered by this proposal. This condition was discharged in 2014 in liaison with Norfolk County Council's Historic Environment Service.

Three reports were created as part of the archaeological process. Two were submitted in evidence to discharge Condition 33; ref: J3056 (Geophysical Survey Report), dated February 2012 and ref: TG 3771 2520_4151 (An Archaeological Evaluation (Trial Trenching)), dated September 2012. One academic paper detailing the findings was also published: Newton, A., (2017) Prehistoric Features and a Medieval Enclosure at Stalham, Norfolk, *Norfolk Archaeology XLVII*, pp. 498–510.

Officers note the comments received from Cllr Taylor with regards to archaeology on this site, particularly in relation to a First World War military encampment on the site. NCC Historic Environment Service have not commented in relation to this site (although they will be recording the encampment within their archives), as it is considered that the archaeological potential of site has already been thoroughly assessed and reported. Therefore, no conditions are proposed in respect of further archaeological investigation.

8. Flooding Risk & Drainage

Flood Risk

The site lies within Flood Zone 1 as detailed by Environment Agency mapping. Policy EN 10 states that most new development in the District should be located within this flood zone; based on a sequential approach. NPPF (Section 14) Paragraph 167 also requires the submission of a site specific flood risk assessment to ensure that flood risk is not increased elsewhere. The applicant has submitted a Site Specific Flood Risk Assessment detailing the flooding risk for this site. This details that the site is at very low risk from surface water and fluvial flooding. It also details that the site has a risk of groundwater flooding of < 25%, based on the Council's Strategic Flood Risk Assessment (Map NN_52).

Surface Water Drainage

Following initial objections from the Lead Local Flood Authority, a revised Drainage Strategy was submitted on 06/01/2022 which provides updated infiltration testing results from the site and proposes an amended surface water drainage strategy to that originally submitted. This revised strategy allows for the infiltration of surface water via semi-permeable areas of hardstanding at the west of the site and permeable footpaths in the amenity garden area to the east.

Surface water drainage in the proposed roadway will be accommodated via trapped gullies and a gravity piped network directly into the existing SuDS infiltration basin to the west of the site (associated with application PF/12/1427). A downstream defender will be installed to treat all surface water captured by the highways surface water drainage network.

The revised drainage strategy also includes provision for surface water management during construction and a maintenance and management plan, which details the ongoing maintenance responsibilities and timetable for the surface water drainage system on-site.

Following the submission of the revised Drainage Strategy, the Broads Internal Drainage Board and LLFA are content with the proposed surface water drainage strategy for this site. Relevant conditions shall be secured to ensure the satisfactory implementation and future management of the surface water drainage network.

Foul Water Drainage

The applicant has detailed that foul water will be disposed of via mains drainage through the Anglian Water network. Anglian Water have confirmed that there is available capacity for the projected flows at the Stalham Water Recycling Centre and within the used water network. A Habitats Regulations Assessment (detailed further in Section 9) has found the foul water drainage strategy to be acceptable.

Given the above and comments received from the relevant consultees, the proposal is considered to be in accordance with Policy EN 10 of the adopted North Norfolk Core Strategy and NPPF (Section 14).

9. Biodiversity

Habitats Regulations Assessment

A Habitats Regulations Assessment (HRA) was required as part of this application under the Conservation of Habitats and Species Regulations 2017 (as amended), Policy ST01 and Emerging Policy ST23/2, and advice received from Natural England, to determine whether any Likely Significant Effects (LSE) of the proposal could be ruled out on nearby designated habitats sites and demonstrate that the proposal would not have an adverse effect on the integrity of these sites. A Stage 1 HRA Screening Assessment was undertaken by the Council, as the Competent Authority, which determined that a LSE could not be ruled out in relation to three principal factors;

- Impacts of foul water drainage and hydrological connectivity to The Broads and concerns over phosphate levels from Stalham Water Recycling Centre (WRC);
- Impacts of surface water and groundwater from the proposal on water quality and local hydrology networks into The Broads; and,
- Impacts of recreational disturbance as a result of the proposal on The Broads and other East Coast Special Protection Areas and Special Areas of Conservation sites.

The Council did not receive any notification of a Judicial Review in the 6 weeks following the publication of the Stage 1 HRA Screening Assessment on 01/11/2021.

Following the publication of the Screening Assessment, the applicant engaged an Ecologist to prepare information for a Stage 2 Appropriate Assessment to address the above LSEs and provide further evidence and proposed mitigation measures to satisfactorily rule out any ongoing LSEs in these terms.

Natural England have reviewed the information submitted in the Appropriate Assessment and raise no objections to the proposal subject to securing the appropriate mitigations. These are the provision of a significant amount of greenspace, access routes for dog walking, and sustainable drainage systems to manage and process surface water drainage.

The Council has also reviewed the information submitted to inform its own assessment, as the Competent Authority, and the comments received by Natural England. Landscape and Ecology Officers have been able to conclude that LSEs are able to be ruled out in respect of the abovementioned concerns via ongoing water quality and phosphate monitoring at Stalham WRC under their Environmental Permitting processes, the satisfactory implementation of the surface water drainage strategy detailed in Section 8, and the securing of relevant planning obligations to address visitor impact pressures as detailed in the following section. The submitted information is of an adoptable standard by the Council.

Additionally, Officers consider that the proposal addresses Natural England's mitigation requirements in utilising the open space in association with the extant permission (PF/12/1427) under site allocation Policy ST01 (as this will be open and accessible to future residents) and noting the emerging policy requirement for an additional 0.21ha of open space required under Emerging Policy ST23/2 on the wider site. Officers shall also secure interpretation boards and information about local Public Rights of Way routes and secure financial contributions towards dog waste bins and their maintenance along these routes (i.e. Weaver's Way and Stalham Staithe Circular Walk) via conditions and Section 106 Agreement.

GI/RAMS

North Norfolk District Council, in conjunction with Natural England and other Norfolk Councils, produced the Norfolk Recreation disturbance Avoidance and Mitigation Strategy (RAMS) and Green Infrastructure Strategy (GI) to ensure new residential development and any associated recreational disturbance impacts on European designated sites are satisfactorily mitigated and compliant with the Habitats Regulations.

The obligations sought from the GI/RAMS Strategy, by way of a financial contribution per new dwelling, are required to rule out any Likely Significant Effect from visitor impact pressures arising from new residential developments on these designated habitats sites in HRA terms. The proposal lies within the defined Zones of Influence of a number of designated sites, including The Broads SAC and Broadland SPA. As such, financial contributions towards the offsetting of pressures caused by new residential development on these sites are required. The required obligations are detailed in Section 11 of this report.

The applicant agrees with this approach and has agreed that these contributions shall be secured via a Section 106 Agreement.

On-Site Biodiversity

The applicant submitted a Preliminary Ecological Appraisal and Impact Assessment in support of this application. It recommends a number of on-site ecological enhancements which would

be beneficial to on-site biodiversity. These would help to ensure that there is a minimal impact on the conservation status of any protected, important or rare species within the local area. These recommended enhancements include the retention of existing hedgerows, the addition of bird and bat boxes across the site, incorporating native species into a soft landscaping scheme, and providing 'hedgehog links' in on-site fencing to facilitate small mammal movement throughout the site. Conditions shall be secured for the implementation of the proposed ecological enhancements, As such, the proposal is considered to be in accordance with Policy EN 9 of the adopted North Norfolk Core Strategy.

10. Other Material Considerations

Contaminated Land

The applicant submitted a desk-based Contaminated Land Report following consultee comments received from Environmental Health requiring a report specifying the suitability of the site for occupation, particularly due to the size of the proposal and as it would house more vulnerable people due to its nature as an extra care facility. The report concludes that the site has shown no sign of development or use, other than as farmland, since the early 1900s. Subsequent consultee comments agree that the degree of risk of contamination is low based on the former land use, but cannot be ruled out completely.

As no contamination testing has been undertaken to rule out the presence of any potential contamination on-site, Environmental Health require an informative note to the applicant detailing their responsibilities for ensuring the safe development of the proposal and secure occupancy for future occupiers. A condition shall also be secured to ensure that any unexpected contamination found during construction is reported to the LPA and satisfactorily remediated before works are allowed to continue.

Pre-Commencement Conditions

The recommendation proposes pre-commencement planning conditions. Therefore, in accordance with Section 100ZA of the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018, the Local Planning Authority served notice upon the applicant to seek agreement to the imposition of such conditions. Notice was served and confirmation of the agreement is currently awaited from the applicant. An update will be provided at the Development Committee meeting.

11. Planning Obligations

As part of this application, Norfolk County Council and North Norfolk District Council require certain planning obligations in order to address the impacts on local services and infrastructure that the proposal will pose. These would be secured via a Section 106 Agreement, with the mitigative financial contributions being used for the specific purposes detailed therein. The planning obligations required for this application are detailed below.

Required Obligations

Public Open Space – North Norfolk District Council require the following financial contributions with regard to off-site public open space mitigation, based on the calculations for Older Peoples' Accommodation, in line with the North Norfolk Open Space Assessment (February 2020):

- Allotments – £10,589

- Parks & Recreation Grounds – £80,765
- Natural Green Space – £23,984
- *Total contributions required – £115,338*

The proposal is required to provide 790 sqm of on-site amenity green space, based on the proposed quantum of proposed dwellings. The proposal provides c. 1,753 sqm of amenity green space to the north and east of the building. Approximately 1,217 sqm of this total forms the communal residential garden area at the east of the site, with the remainder being located to the north of the building as an area open space to visually enhance the site.

The applicant has submitted a viability assessment to demonstrate that they are unable to provide the financial obligations required for off-site contributions under this application. This is detailed further in the following section.

GI/RAMS – As the proposal site lies within the Zones of Influence of a number of designated sites, including The Broads SAC and Broadland SPA, contributions totalling £11,341.73 as mitigation for the future impacts of the proposed development on these designated sites are required.

Local Infrastructure – Due to the age-restricted nature of the development, Norfolk County Council are not seeking contributions towards education or library provision as part of the proposal. However, they do require suitable fire hydrant coverage (1 hydrant per 50 dwellings or part thereof) of the site to be provided, which shall be secured by conditions.

Viability Assessment

As part of this application, the applicant has submitted information detailing the viability limitations of the proposal. This information concludes that the proposal would be unviable if the planning obligations and contributions detailed above were to be required as part of this application. The information has been reviewed by the Council's independent viability assessor and who has found that the viability of the proposed development is marginal with a developer return below normally acceptable levels. This is on the basis that no Section 106 contributions are made, other than the GI/RAMS contributions.

Given the above, the proposal has been found to be unable to provide the required off-site public open space financial contributions. As such, Officers note that the application is unable to comply with the full requirements of Policy CT 2 of the adopted North Norfolk Core Strategy in this instance. This departure from adopted policy shall be weighed against the other policy requirements and materials considerations of the proposal in the following section.

12. Planning Balance and Conclusion

The proposal is considered to be in accordance with Policies SS 5, SS 6, HO 2, HO 3, HO 7, EN 6, EN 9, EN 10, and CT 5 of the adopted North Norfolk Core Strategy. These principally relate to the provision of affordable housing, location sustainability, development density, renewable energy provision, biodiversity, surface and foul water drainage, and highways safety impacts.

The proposal is considered to only be partially in accordance with Policies SS 1, SS 2, SS 3, SS 4, SS 13, HO 1, EN 4 (in relation to residential amenity), and EN 13 of the adopted North Norfolk Core Strategy, as well as Emerging Policy ST23/2 of the Emerging North Norfolk Local Plan 2016 – 2036 (Regulation 19). These policies principally relate to the Council's spatial strategy for development, impacts on the environment, housing mix, residential amenity, and

minimising/preventing the risks from pollution. Officers note that at this stage in the adoption cycle of the Emerging Local Plan, only limited weight can be afforded to emerging policy considerations. However, it is considered that the emerging policies show the direction of travel in which the Council is proposing to steer development upon adoption of the Emerging Local Plan. The partial compliance with policies with regard to the Council's spatial strategy are also considered to be tempered by representations received by Planning Policy and Norfolk County Council with regards to the location of extra care development on this site and the recognition of the public benefits arising from this proposal; which shall be assessed in the following sections.

Conversely, Officers consider the proposal to be contrary to the requirements of Policies EN 2, EN 4, CT 2, CT 6 of the adopted North Norfolk Core Strategy, and Policy ST01 of the North Norfolk Local Development Framework Site Allocations DPD. These policy departures principally relate to the proposal's impacts on the landscape, its design, provision of contributions to off-set the impacts of development, car parking provision, and accordance with the current site allocation policy. Officers also note that some planning obligations have been able to be secured under this application (although not all due to viability constraints), and whilst still considered to be a departure from Policy CT 2, the obligations able to be secured are of note, particularly in relation to Green Infrastructure and visitor impact pressures on nearby designated habitats sites.

Whilst the departure from Policy ST01 is considered to be somewhat tempered by the clear and demonstrable need for this kind of development within Stalham and the District more widely, and the comments received from Planning Policy and Norfolk County Council in light of this, and the over-provision of car parking is considered to be towards the more minor end of policy departures (as the additional spaces could be put to better use), the policy conflicts with Policies EN 2 and EN 4 and NPPF (Section 12), particularly Paragraphs 130 and 134, are considered to carry significant weight. This is due to the impacts of the proposal on the surrounding landscape and its overall design, which have been objected to by consultees.

Under Policy EN 8 of the adopted North Norfolk Core Strategy and the National Planning Policy Framework, the proposal's lower end of less than substantial harm on nearby designated heritage assets must be afforded great weight by NPPF (Section 16) Paragraph 199. However, NPPF (Section 16) Paragraph 202 states that this should be weighed against the public benefits of the scheme.

There are numerous public benefits which Officers consider to be relevant in the determination of the proposal. These include the short-term economic benefits of creating employment during the construction phase of development, as well as more long-term public benefits including boosting the local economy through an increased residential population who will require the use of local goods and services, as well as the creation of c.35 full-time/part-time jobs. Officers consider that the wider economic case for the proposal is strong. Under NPPF (Section 11) Paragraph 122, the proposal is considered to satisfactorily reflect changes in the demand for land, as well as creating local employment within Stalham on a site with a planning history for commercial units.

The proposal has also demonstrated a clear and recognisable need for the provision of C3 extra care as an appropriate housing option for older people locally. The provision of these 61 dwellings as 100% affordable housing is also considered to be of benefit to the local area's housing options. Officers note the relative rarity of applications for proposals such as this to provide substantial amounts of affordable and additional needs housing in combination, for which there is high demand within the District. Such provision is considered to represent a significant public benefit.

Whilst the Council is able to demonstrate a five-year housing land supply, the provision of 61 dwellings would nonetheless contribute positively to the ongoing supply and the Government's aim in NPPF (Section 5) Paragraph 60 of boosting significantly the supply of housing through ensuring that a sufficient amount and variety of land can come forward where it is needed, and is therefore a benefit, carrying its own weight.

Individually, these public benefits would carry their own high level of weighting. Cumulatively, Officers consider that the public benefits of the proposal carry substantial weight in the determination of this application.

Overall, given the assessment of the proposal against the policies in the adopted North Norfolk Core Strategy, and other material considerations relevant to the proposal, the proposal is found to result in substantial benefits in the public interest, which is deemed to outweigh, albeit marginally, the significant harm identified above, including the specific conflicts within the relevant Development Plan policies. As such the proposal can be considered favourably as a departure from adopted Development Plan policy.

RECOMMENDATION

Part 1: Delegate authority to the Assistant Director of Planning to APPROVE subject to:

1) Satisfactory completion of a Section 106 Planning Obligation to cover the following:

- 61 Extra Care affordable houses;
- GI/RAMS contribution of £11,341.73; and,
- Green Infrastructure contribution towards the installation and maintenance of dog waste bins and provision of resident green infrastructure information packs (exact details to be confirmed with NNDC Environmental Services).

2) The imposition of the appropriate conditions as set out in the list below (plus any other conditions considered to be necessary by the Assistant Director of Planning):

Part 2:

That the application be refused if a suitable section 106 agreement is not completed within 4 months of the date of resolution to approve, and in the opinion of the Assistant Director of Planning, there is no realistic prospect of a suitable section 106 agreement being completed within a reasonable timescale.

The proposed conditions referred to above in Part 1), 2) are as follows

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.

Reason:

As required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents, except as may be required by specific condition(s):

Location and Site Layout Plans

- Plan ref: 78P-07 (Location Plan), dated 24/05/2021 and received by the Local Planning Authority on 01/06/2021.
- Plan ref: 78P-01 Revision F (Proposed Site Layout), dated 13/10/2021 and received by the Local Planning Authority on 13/10/2021.

Extra Care Building Plans and Elevations

- Plan ref: 78P-20 Revision E (Floor Plans), dated 01/10/2021 and received by the Local Planning Authority on 01/10/2021.
- Plan ref: 78P-24 Revision B (Roof Plan), dated 08/09/2021 and received by the Local Planning Authority on 09/09/2021.
- Plan ref: 78P-25 Revision F (Elevations), dated 22/02/2022 and received by the Local Planning Authority on 23/02/2022.
- Ref: 78P.29 (Materials Schedule), received by the Local Planning Authority on 23/02/2022.

Ancillary Buildings/Structures Plans and Elevations

- Plan ref: 78P-26 Revision A (Electrical Sub-Station), dated 14/09/2021 and received by the Local Planning Authority on 15/09/2021.
- Plan ref: 78P-19 (Bin & Cycle Store), dated 24/05/2021 and received by the Local Planning Authority on 01/06/2021.

Landscaping and External Lighting Plans

- Plan ref: 78P-03 Revision F (Proposed Landscape Layout), dated 13/10/2021 and received by the Local Planning Authority on 13/10/2021.
- Plan ref: 78P-08 Revision E (Proposed External Lighting Layout), dated 07/02/2022 and received by the Local Planning Authority on 23/02/2021.

Drainage Plans

- Plan ref: 8580-111-001 (S104 Construction Details Sheet 1 of 2), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-111-002 (S104 Construction Details Sheet 2 of 2), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-112-001 Revision A (Private Construction Details Sheet 1 of 2), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-112-002 (Private Construction Details Sheet 2 of 2), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-104-002 Revision B (Impermeable Area Plan), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-104-003 Revision B (Exceedance Flow Route Plan), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-100-001 Revision B (Engineering Layout Sheet 1 of 3), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-100-002 Revision B (Engineering Layout Sheet 2 of 3), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-100-003 Revision A (Engineering Layout Sheet 3 of 3), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: DD GA (8ft Diameter Downstream Defender General Arrangement), dated 11/08/2019 and received by the Local Planning Authority on 06/01/2022.

Highways Plans

- Plan ref: 8580-110-001 (S38 Construction Details), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 78P-27 Revision A (Section 278 Site Plan), dated 28/06/2021 and received by the Local Planning Authority on 27/07/2021.

Reports

- Ref: EN24392 AQIA (Air Quality Screening Assessment), dated May 2021 and received by the Local Planning Authority on 01/06/2021.
- Ref: JBA11/382 AR01 Issue A (Arboricultural Impact Assessment), dated 27/05/2021 and received by the Local Planning Authority on 01/06/2021.
- Ref: JBA 11/382 (Ecological Impact Assessment and Preliminary Ecological Appraisal), dated May 2021 and received by the Local Planning Authority on 01/06/2021.
- Ref: 78P-10 (Design and Access Statement), received by the Local Planning Authority on 10/09/2021.
- Ref: 78P-17 (Planning Statement), and received by the Local Planning Authority on 10/09/2021.
- Ref: 78P-13 (Landscape Maintenance Plan), received by the Local Planning Authority on 01/06/2021.
- Landscape Briefing Note, received by the Local Planning Authority on 13/10/2021.
- Ref: 78P-12A (Landscape and Planting Schedule), received by the Local Planning Authority on 13/10/2021.
- Ref: 8580 V.02 (Drainage Strategy Report), dated December 2021 and received by the Local Planning Authority on 06/01/2022.
- Ref: 2790/RE/09-21/01 (Flood Risk Assessment (within Drainage Strategy Report)), dated January 2022 and received by the Local Planning Authority on 06/01/2022.
- Supporting Evidence for Appropriate Assessment, dated January 2022 and received by the Local Planning Authority on 17/01/2022.
- Correspondence from the Applicant re: PF/21/1532 Climate Emergency, received by the Local Planning Authority on 09/07/2021.

Reason:

For the avoidance of doubt and to ensure that the development is built to an appropriate quality standard of design and does not detrimentally effect the surrounding landscape or nearby heritage assets, in accordance with Policies EN 2, EN 4 and EN 8 of the adopted North Norfolk Core Strategy.

3. The materials to be used on the external surfaces of the development hereby permitted, including external and ancillary buildings and structures, shall be constructed in accordance with the details submitted in ref: 78P.29 (Materials Schedule), received by the Local Planning Authority on 23/02/2022.

Reason:

For the avoidance of doubt and to ensure that the development is built to an appropriate quality standard of design and does not detrimentally effect the surrounding landscape or nearby heritage assets, in accordance with Policies EN 2, EN 4 and EN 8 of the adopted North Norfolk Core Strategy.

Pre-Commencement

4. There shall be no commencement of the development hereby permitted until a detailed noise, dust and smoke management plan to protect the occupants of completed

dwelling on the site and residential dwellings surrounding the site from noise, dust and smoke during construction, has first been submitted to, and approved in writing by the Local Planning Authority.

The scheme shall include;

- i) Communication with neighbours before and during works.
- ii) Contact arrangements by which residents can raise any concerns and, issues.
- iii) The mechanism for investigation and responding to residents' concerns and complaints
- iv) Management arrangements to be put in place to minimise noise and dust (including staff training such as toolbox talks).
- v) Hours during which noisy and potentially dusty activities will take place.
- vi) Measures to control loud radios on site.
- vii) Measures to be taken to ensure noisy activities take place away from residential premises where possible such as a separate compound for cutting and grinding activities.
- viii) Measures to control dust from excavation, wetting of soil; dust netting and loading and transportation of soil such as minimising drop heights, sheeting of vehicles.
- ix) Measures to control dust from soil stockpiles such as sheeting, making sure that stockpiles exist for the shortest possible time and locating stockpiles away from residential premises.
- x) Measures to control dust from vehicle movements such as site speed limits, cleaning of site roads and wetting of vehicle routes in dry weather.
- xi) Measures to minimise dust generating activities on windy and dry days
- xii) Measures to control smoke from burning activities.

The approved plan shall remain in place and be implemented throughout each phase of the development.

Reason:

To control the noise emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy.

5. There shall be no commencement of the development hereby permitted (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has first been submitted to and approved in writing by the Local Planning Authority.

The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when special ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason:

In accordance with the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy and paragraph 118 of the National Planning Policy Framework, and for the undertaking of the council's statutory function under the Natural Environment and Rural Communities Act (2006).

6. There shall be no commencement of the development hereby permitted until a Construction Traffic Management Plan and Access Route (which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities) has first been submitted to and approved in writing by the Local Planning Authority, together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

Reason:

In the interests of maintaining highway efficiency and safety in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy and Section 9 of the National Planning Policy Framework.

7. For the duration of the construction period all traffic associated with the construction of the development hereby permitted will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority.

Reason:

In the interests of maintaining highway efficiency and safety, in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy and Section 9 of the National Planning Policy Framework.

8. There shall be no commencement of the development hereby permitted, including any works of demolition, until a Construction Method Statement has first been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) the erection and retention of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - e) wheel washing facilities to be provided at the entrance to the site;
 - f) measures to control the emission of dust and dirt during construction;
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and,
 - h) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason:

To control the noise, odour and dust emitted from the site in the interests of residential amenity and public safety in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy.

9. There shall be no commencement of the development hereby permitted until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has first been submitted to and approved in writing by the Local Planning Authority.

The scheme shall thereafter be implemented upon the formation of the construction site entrance and shall be used throughout the construction period.

Reason:

To ensure adequate off-street parking during construction in the interests of highway safety in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy. This needs to be a pre-commencement condition as it deals with the construction period of the development.

10. There shall be no commencement of the development hereby permitted until such time as detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage have first been submitted to and approved in writing by the Local Planning Authority.

All construction works shall be carried out in accordance with the approved plans.

Reason:

This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development, in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

11. There shall be no commencement of the development hereby permitted until a scheme has first been submitted to and approved in writing by the Local Planning Authority demonstrating how the proposed development will satisfactorily meet the at least 10% sustainable construction and energy efficiency requirements of Core Strategy Policy EN 6.

The scheme as submitted shall be broadly based on the details submitted within ref: 78P-10 (Design and Access Statement) and correspondence from the Applicant, received by the Local Planning Authority on 09/07/2021 re: PF/21/1532 Climate Emergency.

The scheme shall thereafter be carried out in strict accordance with the approved details.

Reason:

In the interests of promoting sustainable development and design, and ensuring that the development is constructed in accordance with the requirements of Policy EN 6 of the adopted North Norfolk Core Strategy, National Planning Policy Framework (Section 14), and Part L of the Building Regulations 2010 (as amended).

No Works above Slab Level

12. Notwithstanding the details indicated on the submitted drawings, there shall be no commencement of works above slab level, unless otherwise having first been submitted to and agreed in writing by the Local Planning Authority, until detailed drawings for the off-site highway improvement works as indicated on Drawing No.(s)

(78P-01 Rev F) have first been submitted to and approved in writing by the Local Planning Authority.

There shall be no use and/or occupation of the development hereby permitted until the off-site highway improvement works (including Public Rights of Way works) have first been completed, including any S278 requirements as required by the Highway Authority.

Reason:

To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

Prior to Completion of Final Dwellings / First Use / Occupation

13. There shall be no use and/or occupation of the development hereby permitted the vehicular and pedestrian access has first been constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority, in accordance with the highways specification and thereafter retained at the position shown on the approved plan.

Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.

Reason:

To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety, in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

14. There shall be no use and/or occupation of the development hereby permitted, until visibility splays have first been provided in full accordance with the details indicated on the approved plan (78P-01 Rev F).

The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.

Reason:

In the interests of highway safety in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy and Section 9 of the National Planning Policy Framework.

15. There shall be no use and/or occupation of the development hereby permitted until the proposed access / onsite car and cycle parking / servicing / loading / unloading / turning / waiting area have first been laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan (78P-01 Rev F) and retained thereafter available for that specific use.

Reason:

To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety, in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

16. Prior to the construction/occupation of the final dwelling all works shall be carried out on roads / footways / cycleways / street lighting / foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning

Authority.

Reason:

To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway, in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

17. The development shall be constructed in accordance with the submitted Drainage Strategy (Drainage Strategy, Barter Hill, Document Reference: 8580 – Land Northeast of Yarmouth Road, Stalham, Norfolk, Revision 02, dated December 2021).
The approved scheme shall be implemented in full prior to the first use / occupation of the development hereby permitted.

Reason:

To ensure that a satisfactory surface water drainage scheme is implemented on-site which does not have adverse effects in relation to flooding and water quality, both on-site and off-site, in accordance with Policies EN 10 and EN 13 of the adopted North Norfolk Core Strategy.

18. There shall be no use and/or occupation of the development hereby permitted until a scheme has first been submitted to and approved in writing by the Local Planning Authority, in consultation with Norfolk Fire Service, for the provision of 1 no. fire hydrant per 50 dwellings (or part thereof) on a minimum 90mm portable water main.

Thereafter, the fire hydrants shall be provided in strict accordance with the approved details prior to the first occupation of the development hereby approved.

Reason:

In the interests of health and safety of the public and to avoid unnecessary costs to the developer, and to ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire, in accordance with Policies EN 4 and CT 2 of the adopted North Norfolk Core Strategy.

19. There shall be no use and/or occupation of the development hereby permitted until details of the proposed means of residential, commercial, and medical waste disposal has first been submitted to and approved in writing by the Local Planning Authority.

Waste disposal shall thereafter be undertaken in strict accordance with the approved details.

Reason:

To protect nearby residents from smell and airborne pollution in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy.

20. There shall be no use and/or occupation of the development hereby permitted until the details of Green Infrastructure Interpretation Boards and their proposed locations within the site, and details of resident green infrastructure information packs, have first been submitted to and approved in writing by the Local Planning Authority.

These shall detail the local green infrastructure walking routes and Public Rights of Way and other local dog walking routes, as highlighted in Section 8.1.3. of the Supporting Evidence for Appropriate Assessment, dated January 2022.

The Interpretation Boards shall thereafter be implemented prior to use/occupation, and retained on-site for the lifetime of the development in full accordance with the approved plans.

Reason:

In the interests of providing satisfactory green infrastructure signposting to local provision under the Conservation of Habitats and Species Regulations 2017 (as amended).

21. There shall be no use and/or occupation of the development hereby permitted until details of a pedestrian footpath / cycle link through to the residential development (known as Broadchurch Gardens) to the north west of the site (within the blue line boundary), has first been submitted to and approved in writing by the Local Planning Authority.

The footpath shall thereafter be implemented and maintained in full accordance with the approved details.

Reason:

In the interests of providing satisfactory permeability across the site into the wider area and to not create an alcove development, in accordance with Policies SS 6 and EN 4 of the adopted North Norfolk Core Strategy.

22. The landscaping works shall be carried out in accordance with the approved details and implementation programme as set out in plans and documents ref: 78P-03 Revision F (Landscaping Plan, dated 13/10/2021), ref: 78P-13 (Landscape Maintenance Plan, dated 01/06/2021), Landscape Briefing Note (dated 13/10/2021), and ref: 78P-12A (Landscape and Planting Schedule, dated 13/10/2021), before any part of the development is first occupied / brought into use in accordance with the agreed implementation programme.

Reason:

To protect and enhance the visual amenities of the area, in accordance with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

Prior to Installation

23. Prior to the installation of any plant / machinery / ventilation / air conditioning / heating / air source heat pumps / extraction equipment, including any replacements of such, full details including location, acoustic specifications, and specific measures to control noise / dust / odour from the equipment, shall first be submitted to and approved in writing by the Local Planning Authority.

The equipment shall be installed, used and maintained thereafter in full accordance with the approved details.

Reason:

To control the noise or odour emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy.

Other

24. Commercial deliveries shall only be taken at or dispatched from the site/premises between the following hours:

- 0730 – 1800 Monday to Friday;
- 0800 – 1300 on Saturdays; and,
- None on Sundays and Bank Holidays and other public holidays

Reason:

In the interests of residential amenity in accordance with Policies EN 4 and EN 13 of the adopted North Norfolk Core Strategy.

25. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development is resumed or continued.

Reason:

In the interests of the health and safety of those working on the site, public health and safety and future occupiers/users of the development in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy.

26. No external lighting shall be installed other than in accordance with the submitted lighting plan ref: 78P-08 Revision E, and shall not cause light intrusion beyond the site boundaries.

Reason:

To ensure that the development minimises light pollution and reduces glare, in the interests of minimising the potential impact on biodiversity and residential amenity in accordance with Policies EN 2, EN 4, EN 9, and EN 13 of the adopted North Norfolk Core Strategy and Sections 12 and 15 of the National Planning Policy Framework.

27. Any existing tree, shrub or hedgerow to be retained within the approved landscape scheme which dies, is removed or become seriously damaged or diseased, within a period of ten years from the date of planting, shall be replaced during the next planting season following removal with another of a similar size and species as that originally planted, and in the same place.

Reason:

To protect and enhance the visual amenities of the area, in accordance with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

28. Any tree, shrub or hedgerow forming part of an approved landscape scheme which dies, is removed or become seriously damaged or diseased, within a period of ten years from the date of planting, shall be replaced during the next planting season following removal with another of a similar size and species as that originally planted, and in the same place.

Reason:

To protect and enhance the visual amenities of the area, in accordance with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

29. No boundary treatments shall be erected, installed or constructed on site unless they include provision for a 13cm x 13cm gap at ground level at intervals of no more than 6m to facilitate commuting corridors for small mammals.

Reason:

In accordance with the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy and paragraph 118 of the National Planning Policy Framework, and for the undertaking of the council's statutory function under the Natural Environment and Rural Communities Act (2006).

30. The development hereby permitted shall be carried out in strict accordance with the mitigation and enhancement measures outlined in Section 6 of Ref: JBA 11/382 (Ecological Impact Assessment and Preliminary Ecological Appraisal), dated May 2021.

The mitigation and enhancement measures shall thereafter be retained in a suitable condition to serve their intended purposes.

Reason:

In accordance with the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy and paragraph 118 of the National Planning Policy Framework, and for the undertaking of the council's statutory function under the Natural Environment and Rural Communities Act (2006).

31. Occupation of each dwelling of the development hereby permitted shall be occupied only by people of 55 years of age and above and require extra care provision in line with the Registered Provider's requirements, or a widow or widower or surviving civil partner of such a person, and to any persons who were living as part of a single household with such person(s) who have since died.

Reason:

To ensure the development continues to meet a local need for this particular form and tenure of housing in accordance with Policies HO 1 and CT 2 of the adopted North Norfolk Core Strategy.

Note(s) to Applicant:

1. The applicant's attention is drawn to the fact that the above conditions (if any) must be complied with in full. Failure to do so may result in enforcement action being instigated.
2. This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.
3. The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks. However, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £116 or £34 where the related permission was for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse. A fee is payable for each submission made, regardless

of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.

4. In accordance with Paragraph 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative manner:-
 - Proactively offering pre-application advice (in accordance with Paragraphs 39 – 46);
 - Seeking further information following the receipt of the application;
 - Seeking amendments to the proposed development following receipt of the application;
 - Considering the imposition of conditions and/or the completion of a Section 106 Agreement (in accordance with Paragraphs 54 – 57).

In this instance:

- The applicant was updated of any issues after the initial site visit;
- Meeting with the applicant;
- Considering amended plans;
- The application was subject to the imposition of conditions and a Section 106 Agreement.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

5. The responsibility for the safe development and secure occupancy of the site rests with the developer. The local planning authority has determined the application on the basis of the information available to it, but this does not mean that the land is free from contamination.
6. The applicant is advised that businesses require a Trade Waste Contract to dispose of all waste associated with commercial activities on site as stated in the Environmental Protection Act 1990, Section 34. Further advice regarding this matter can be obtained by contacting the District Council's Environmental Protection Team (telephone: 01263 516085).
7. The applicant/developer is advised that the lighting details referred to in Condition 26 should comply with the Institution of Lighting Engineers Guidance Notes for the Reduction of Light Pollution For further guidance the applicant/developer is advised to contact the District Council's Environmental Protection Team (telephone 01263 516085).
8. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
9. Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

10. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
11. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
12. It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained (insert for SHWP only and typically this can take between 3 and 4 months). Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich. Please contact (01603 223273). Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.
13. If required, street furniture will need to be repositioned at the Applicant's own expense in consultation with the Local Highway Authority.
14. The minimum requirements are 1 fire hydrant per 50 dwellings on a minimum 90mm potable water main. The positioning of hydrants to service any blocks of flats must meet the requirements of Building Regulations Approved Document B volume 2 sections 15 & 16 (Fire Hydrants / water supplies and Vehicle access).
15. If the overall height of any building exceeds 18m the provision of a dry fire main will be required. Fire appliance access and hydrant provision for this fire main must comply with Building Regulations Approved Document B Volume 2 B5 and sections 15 & 16 (Fire Hydrants / water supplies and Vehicle access).
16. This Decision Notice must be read in conjunction with a Planning Obligation completed under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended). You are advised to satisfy yourself that you have all the relevant documentation.
17. Please note that any information in relation to the discharge of planning obligation contained within the completed Section 106 Agreement in relation to this planning permission should be submitted to the Planning Department, in accordance with, or ahead of, the timeframes contained therein.

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Stalham PF/21/2021 – A new residential development of 40 affordable houses comprising 22 affordable/shared ownership houses and one block of 18 affordable flats consisting of 9, one bedroom flats and 9, two bedroom flats with associated landscaping, infrastructure and access [Description amended on 29/11/2021].

Land North East of Yarmouth Road, Stalham

Major Development

Target Date: 11 November 2021

Extension of Time: None at the time of reporting

Case Officer: Richard Riggs

Full Planning Permission

SITE CONSTRAINTS

Mixed Use Allocation – Policy ST01

Local Development Framework – Settlement Boundary

Local Development Framework – Countryside

Landscape Character Area – Settled Farmland

Agricultural Land Classification (Grade 1/Non Agricultural)

Area Susceptible to Groundwater SFRA ($\geq 25\% < 50\%$)

Area Susceptible to Groundwater SFRA ($< 25\%$)

EA Risk Surface Water Flooding 1 in 1000

RELEVANT PLANNING HISTORY

Application: PF/21/1532

Address: Extra Care development of 61 independent one and two bedroom flats, with secured landscaped communal gardens, associated visitor and staff car and cycle parking, external stores and a new vehicular access onto Yarmouth Road

Decision: Determination Pending

Application: PF/16/0240

Address: Land Off Yarmouth Road, Stalham, Norwich, Norfolk

Proposal: Mixed use development comprising 34 dwellings and up to 12 commercial / employment / retail / clinic / service / community units within use classes B1, A1, A2, A3, D1 and D2, with new access road and associated landscaping.

Decision: Withdrawn by Applicant (09/04/2021)

Application: PF/12/1427

Address: Land Off Yarmouth Road, Stalham

Proposal: Mixed use development comprising 150 dwellings, B1 (a - c) employment buildings (3150sqm), public open space, landscaping and associated highways and drainage infrastructure

Decision: Approved (20/03/2013)

SITE AND SURROUNDINGS

Stalham is designated as a Secondary Settlement under the Council's spatial strategy in Policy SS 1 of the adopted North Norfolk Core Strategy (2008) in recognition of its role as a gateway location to the Broads and as a local retail and service centre. However, the quantum of local services in the area is considered to be limited in Paragraph 2.9.33 of the support text to Policy SS 13 which would make large scale housing growth in the town inappropriate.

The application site is located north of Yarmouth Rd, to the south east of the town centre. It forms part of the wider site allocation under Policy ST01 of the North Norfolk Local

Development Framework Site Allocations Development Plan Document (2011). The application site is currently undeveloped. The site is bounded by existing residential development, with the most recent of these developments being to the north west where 150no. new homes and associated public open space have been constructed under planning permission PF/12/1427.

The site lies outside of the Stalham Conservation Area to the west, but is in relatively close proximity to a number of Listed Buildings, including the Grade II Listed Church Farmhouse to the west and the Grade II* Listed Stalham Hall to the east.

The site is located close to a range of local services and facilities including infant and secondary schools, a doctor's surgery, Stalham High St, a superstore, and bus stops serving the nearby town of North Walsham (c. 9mi to the north west), Norwich (c. 15mi to the south west), and Great Yarmouth (c. 17mi to the south east).

THIS APPLICATION

This application seeks full planning permission for the erection of 40no. new 100% affordable dwellings off Yarmouth Rd, with associated landscaping, infrastructure and access. The description of the proposal was amended from 43no. to 40no. dwellings on 29/11/2021. Any consultee comments referring to 43no. dwellings should be taken as read for the revised proposal. The proposed dwelling types comprise of:

- One block of 18no. affordable flats
- 22no. affordable/shared ownership houses

The proposed dwelling mix consists of:

- 9no. 1-bed flats
- 9no. 2-bed flats
- 6no. 2-bed dwellinghouses
- 12no. 3-bed dwellinghouses
- 4no. 4-bed dwellinghouses

The application is supported by the following documents:

- Application Form
- Location and Site Plans
- Full Set of Proposed Plans and Elevations
- Materials Schedule
- Affordable Housing Statement
- Arboricultural Impact Assessment
- Design and Access Statement
- Preliminary Ecological Assessment
- Flood Risk Assessment
- Heritage Statement
- Landscape Character and Visual Impact Assessment
- Planning Statement
- Drainage Calculations
- Statement of Community Involvement
- Information for Viability Assessment
- Landscape Schedule and Maintenance Plan
- Refuse and Waste Strategy

- Drainage Strategy [Revised 06/01/2022]
- Information for Habitats Regulations Assessment

REASON FOR REFERRAL TO COMMITTEE

Cllr Pauline Grove-Jones (Stalham) called-in this application due to the loss of economic development land on this site which currently has planning permission under PF/12/1427, in line with Policy ST01 of the North Norfolk Local Development Framework Site Allocations DPD.

This application has also been submitted in conjunction with application PF/21/1532, which is being determined at committee at the request of Cllr Grove-Jones. As such, the Assistant Director for Planning considers that it is in the interests of good planning to consider both items at the same Committee.

CONSULTATION RESPONSES

Local Members:

NNDC Members

Cllr Pauline Grove-Jones (Stalham)

Has expressed her concerns over the loss of employment land, with particular reference to the commercial units permitted under planning permission PF/12/1427, that would result from this application; including the lack of consultation with members before and during the sale of the land from Hopkins Homes to Medcentres. Infrastructure concerns were also raised, with particular reference to the junction at A149/Market Road which this application would impact on, which would in turn cause greater use of alternative rat-use routes.

Cllr Grove-Jones cites correspondence between Cllr Nigel Dixon (Hoveton and Stalham Division, NCC) and NCC's Planning Obligations Team. These comments primarily concern impacts on local infrastructure in terms of library provision and highways safety.

Cllr Matthew Taylor (Stalham) (21/02/2022)

Has expressed concerns regarding the former use of the site during the First World War as a military encampment and requires that no items of cultural significance are either left undiscovered or destroyed by the construction work.

Norfolk County Council Members

Cllr Nigel Dixon (Hoveton and Stalham Division, Norfolk County Council) (23/09/2021):

- The subject planning applications seek to change the use of land allocated for 3150 sqm of industrial units under both the current Local Plan and the subsequent approved mixed development under PF/12/1427.
- PF/21/2021 simply delivers 43 affordable homes and no jobs.
- The proposal would deprive Stalham of the prospect of its first modern industrial estate, which would bring inward investment essential to address the socioeconomic and deprivation issues of the town.
- There are concerns around the traffic implications from such a change of use, particularly for Sutton because so much eastbound residential traffic from Stalham

elects to join the A149 at Catfield, via Sutton, to avoid the hazardous Tesco's junction at Stalham.

- While affordable housing, in principle, is needed across north east Norfolk there's little evidence to show that the adverse implications of losing this site from employment to residential use have been fully explored and certainly not with the residents of Stalham and Sutton prior to the application being submitted.
- There has been no pre application public exhibition and consultation to enable the local population to view, fully understand and express views on what's being proposed so that they could influence the applications at the formative stage.
- I request that both applications (PF/21/1532 and PF/21/2021) be held as pending and the applicant be asked to conduct a public exhibition and consultation, as would normally be expected.

Parish/Town Council:

Stalham Town Council – Objects to the proposal.

Initial comments were received stating that no public or Council consultation had taken place over the altered application on this site (from that of PF/12/1427) and requesting that the application is halted to allow for proper public exhibition and consultation. STC acknowledged the general need for affordable homes across North Norfolk, but question the absence of pre-application public consultation or exhibition.

Comments were also submitted on numerous occasions outlining the extant position on the site for commercial/employment uses and that the loss of this through a residential development would be detrimental to the town, based on the need for this type of development to attract new and expand existing businesses. STC further detail the need for commercial development to alleviate the relative deprivation of the town and query the sustainability of local residents travelling to larger towns/cities for work.

STC also query the quantum of development in Stalham in recent years and the lack of significant investment to improve the local road network capacity or other utility/community infrastructure improvements; noting that these 2 applications (PF/21/1532 and PF/21/2021) also fail to address that infrastructure deficit.

There are other planning issues over the layout of the site and scale, mass and design of the 21 [sic] flats and they should be addressed once decisions in principle as to whether Stalham, and this site in particular, is the most appropriate site for these developments and in the best interests of Stalham.

Additional comment (17/01/2022) – The in-combination of the proposal and PF/21/1532 will have negative ramifications on the wider town of Stalham. Both applications will increase motor vehicle usage on the highway, additional usage of water/sewage facilities and added demand on public services such as schools and doctors. The proposal does not seek to mitigate any of these wider issues and will only exacerbate existing problems the in both the town and surrounding villages. Further infrastructure and highways safety measures should be sought from the developer. The proposal should also not add pressures in respect of foul and surface water drainage.

Additional comment (19/01/2022) – STC questioned the justification for the loss of employment land. They also submitted Freedom of Information requests relating to the proportional provision of affordable housing and care beds in Stalham compared with the rest of the District. STC contends that Stalham is taking a disproportionate amount of affordable housing and care beds.

Note: A FOI response was received from NNDC Strategic Housing on 09/02/2022. This details that Stalham currently has 14% affordable housing provision. This places Stalham 6th out of the 8 towns within the District in terms of its proportion of affordable housing provision. The need for affordable housing is laid out within Strategic Housing's consultation response later in this report. Similar statistical information pertaining to the proportion of extra care places is not held by Strategic Housing. However, baseline information shows Stalham to currently be on par with other areas of the District which have extra care provision.

North Norfolk District Council:

Conservation and Design – Objects to the proposal. Additional comment (18/02/2022) – Proposed materials acceptable.

Landscape – Objects to the proposal.

Landscape (Ecology) – Habitats Regulations Assessment Appropriate Assessment is acceptable subject to appropriate mitigation.

Environmental Health – Partially objects to the proposal. Conditions proposed.

Planning Policy – Advice received.

Strategic Housing – Supports the proposal.

Norfolk County Council:

Lead Local Flood Authority – No objection subject to conditions.

Minerals and Waste Authority – No comments received.

Highways Authority – No objection subject to conditions.

Planning Obligations Co-ordinator – Advice received.

Public Rights of Way & Green Infrastructure – No objections.

Historic Environment Service – No objection subject to conditions.

External Consultees:

Historic England – Does not wish to comment on the proposal.

Health and Safety Executive – No comments received.

Anglian Water – No objections subject to conditions.

British Pipeline Agency – Does not wish to comment on the proposal.

NHS England (East) – No comments received.

Broads Internal Drainage Board – Advice received.

Natural England – No objection subject to appropriate mitigation.

REPRESENTATIONS

The public consultation period of 21 days took place between 13/08/2021 to 03/09/2021. Under Paragraph 034 of the National Planning Policy Guidance (NPPG) on Consultation and Pre-Decision Matters, dated 23/07/2019 (Reference ID: 15-026-20190722), Officers have been accepting of public comments made after the close of the consultation period for due consideration throughout the determination process.

During the public consultation period a total of 13 representations were made.

12 of these were objections. The key points raised in **OBJECTION** are as follows:

- Concerns raised over local doctors' capacity for new residents and the capacity other local infrastructure.
- There are not enough jobs in the area to support more homes being built.
- Yarmouth Rd already floods in bad weather, as does the proposed site.
- The proposed flats will dominate the skyline of the town.
- Development will lead to an increase in traffic, particularly around the junction with the A149.
- The site already has approval for 24 commercial units under application PF/12/1427.
- The proposal will result in the loss of commercial land for which there is local demand, as there are no opportunities for businesses to [re-]locate to Stalham due to lack of space.
- Information submitted under the withdrawn application PF/16/0240 with regard to local demand for commercial development on this site should be taken into consideration.
- There is already a surfeit amount of housing and assisted living projects.
- The LPA should insist on the extant permission being built out.
- Public transport doesn't run consistently enough to be used as a viable service.
- Existing surface water drainage features will not support the proposal.
- Clearance works of the site have already commenced prior to planning permission being granted and the site is ecologically diverse.
- The Council should build the permitted employment units.

1 representation was made in support of the application. The key points raised in **SUPPORT** are as follows:

- The road network around the site is not suitable for heavy plant and machinery.
- The site is not ideal or a logical choice for an industrial estate.
- Affordable housing is welcomed as many people cannot afford to buy a house locally and many have been on the Council's waiting list for a very long time.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to:

- Article 8: The Right to respect for private and family life.
- Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

STANDING DUTIES

Due regard has been given to the following duties:

Environment Act 2021
Equality Act 2010
Crime and Disorder Act, 1998 (S17)
Natural Environment & Rural Communities Act 2006 (S40)
The Conservation of Habitats and Species Regulations 2010 (R9)
Planning Act 2008 (S183)
Human Rights Act 1998
Rights into UK Law – Art. 8 – Right to Respect for Private and Family Life
Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

RELEVANT POLICIES

North Norfolk Core Strategy (September 2008):

Policy SS 1 – Spatial Strategy for North Norfolk
Policy SS 2 – Development in the Countryside
Policy SS 3 – Housing
Policy SS 4 – Environment
Policy SS 6 – Access and Infrastructure
Policy SS 13 – Stalham
Policy HO 1 – Dwelling Mix and Type
Policy HO 2 – Provision of Affordable Housing
Policy HO 3 – Affordable Housing in the Countryside
Policy HO 7 – Making the Most Efficient Use of Land (Housing Density)
Policy EN 2 – Protection and Enhancement of Landscape and Settlement Character
Policy EN 4 – Design
Policy EN 6 – Sustainable Construction and Energy Efficiency
Policy EN 8 – Protecting and Enhancing the Historic Environment
Policy EN 9 – Biodiversity & Geology
Policy EN 10 – Development and Flood Risk
Policy EN 13 – Pollution and Hazard Prevention and Minimisation
Policy CT 2 – Developer Contributions
Policy CT 5 – The Transport Impact of New Development
Policy CT 6 – Parking Provision

North Norfolk Local Development Framework Site Allocations DPD (February 2011):

Policy ST01 – Mixed Use: Land Adjacent to Church Farm, Ingham Road

MATERIAL CONSIDERATIONS

Supplementary Planning Documents (SPDs):

North Norfolk Landscape Character Assessment SPD (January 2021)
North Norfolk Design Guide SPD (December 2008)

National Planning Policy Framework (NPPF):

Section 2 – Achieving sustainable development

Section 4 – Decision-making
Section 5 – Delivering a sufficient supply of homes
Section 7 – Ensuring the vitality of town centres
Section 8 – Promoting healthy and safe communities
Section 9 – Promoting sustainable transport
Section 11 – Making effective use of land
Section 12 – Achieving well-designed places
Section 14 – Meeting the challenge of climate change, flooding and coastal change
Section 15 – Conserving and enhancing the natural environment
Section 16 – Conserving and enhancing the historic environment

Emerging North Norfolk Local Plan 2016 – 2036 (Regulation 19):

Policy ST23/2 – Mixed-Use: Land North of Yarmouth Road, East of Broadbeach Gardens

Other Material Considerations

North Norfolk Open Space Assessment (February 2020)
Land adjacent to Church Farm, Ingham Road, Stalham Development Brief (2012)
Department for Communities and Local Government Technical Housing Standards – Nationally Described Space Standard (2015)

OFFICER ASSESSMENT

Main Issues to consider:

- 1. Principle of development**
- 2. Design**
- 3. Landscape**
- 4. Amenity**
- 5. Flooding Risk and Drainage**
- 6. Highways Safety**
- 7. Sustainable Construction**
- 8. Biodiversity**
- 9. Heritage and Archaeology**
- 10. Other Material Considerations**
- 11. Planning Obligations**
- 12. Planning Balance and Conclusion**

1. Principle of Development

In accordance with Section 38(6) of the Town and Country Planning Compulsory Purchase Act 2004, planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan comprises of the Core Strategy (2008) (CS) and the Site Allocations Development Plan Document (DPD) (2011). Although the Development Plan preceded the National Planning Policy Framework (NPPF), published in 2012 and most recently updated in 2021, the policies relevant in the determination of this application are consistent with the NPPF and are considered to be up to date. The Council can also currently demonstrate that it has a five-year housing land supply and therefore the policies most relevant for determining the application are to be given full weight in decision-making.

Spatial Strategy and Site Allocation

The proposal is located within the Countryside under Policy SS 1. As such, under Policy SS 2 it is required to demonstrate that it requires a rural location and meets at least one of the closed list of other requirements, this includes affordable housing. As the proposal is for a C3 residential affordable housing on the edge of a settlement boundary, and within an existing site allocation (Policy ST01), Officers consider that the requirements under Policy SS 2 in respect of affordable housing under Policy HO 3 have been demonstrated.

Similarly, under Policy HO 3, proposals for 10 or more affordable dwellings in the Countryside are required to be within 100m of a settlement boundary of a policy-defined settlement under Policy SS 1, and show how they meet a proven local housing need for affordable dwellings. Given the comments submitted by NNDC Strategic Housing, Officers are content that the proposal clearly meets the requirements of Policy HO 3 in this regard.

The site is also located on site allocation Policy ST01 of the North Norfolk Local Development Framework Site Allocations DPD. This policy provides for c. 160no. dwellings on the wider site. Officers note, however, that the residential quotient under Policy ST01 has already been largely delivered under planning permission PF/12/1427. As such, the proposal would be seen as surplus and therefore contrary to policy requirements. However, Officers also note the comments made by Planning Policy consultees in which the provision of 100% affordable housing at this site should be viewed more holistically with the adjacent proposal (PF/21/1532) and within the wider purview of the Development Plan.

Emerging Policy ST23/2 in the Council's Emerging Local Plan (Regulation 19) makes provision for approximately 80 dwellings, employment land and community facilities, public open space, and associated on and off site infrastructure. The site area broadly aligns with current allocation Policy ST01, with an additional area of proposed developable land to the east. The proposal would account for 40no. new homes on the site and is considered to be in broad accordance with emerging site allocation policy. It is also important to note that as the Emerging Local Plan is currently at Regulation 19 stage, Officers are only able to attribute limited weight to emerging policies in the planning balance.

In their consultee response, Planning Policy note that this application has taken heed of their comments provided under application PF/21/1532 insofar that additional residential development on this site should be 100% affordable. The proposal also leaves an option to expand the road network into the eastern area of the emerging site allocation, so to enable future development in that area on the emerging site allocation. However, Officers note the 2m ransom strip to the north-east boundary of the site left over from the sale of land, which is out of the applicant's control.

Extant Planning Permission

The site is already subject to an extant planning permission – PF/12/1427 – which permits mixed use development comprising 150 dwellings, B1 (a - c) employment buildings (3150sqm), public open space, landscaping and associated highways and drainage infrastructure. The residential, public open space, landscaping and associated highways and drainage infrastructure have already, at least in part, been built out. The provision of the permitted employment units remains outstanding.

A further planning application – PF/16/0240 – for a mixed use development comprising 34 dwellings and a reduction of up to 12 commercial / employment / retail / clinic / service / community units within Use Classes B1, A1, A2, A3, D1 and D2, with new access road and associated landscaping was withdrawn by the applicant in April 2021 after a long period in abeyance pending a viability assessment on the provision of the commercial units. The land

was subsequently sold to the current applicant after the withdrawal of the above planning application.

Loss of Potential Commercial / Industrial Units

Officers note the comments received during the public consultation, and from local Members, with respect to the proposed change of land use and the loss of the industrial/commercial units provided for under the extant permission.

It is acknowledged that the proposal would result in the development of this site and therefore the loss of the ability for the permitted B1 units to be built out on this site. However, it is important to view the proposal and the site holistically and in context to garner a full appreciation of local need in respect of the differing use classes. An assessment into the rationale behind the proposal for an extra care facility on this site shall be addressed in the following sections.

Following the granting of the extant permission, the details of the required marketing strategy were approved by the Council through the partial discharge of Condition 28 of planning permission PF/12/1427 on 07/07/2014. Further information pertaining to the reports and findings of the marketing strategy, and wider general advice about the viability of providing new small commercial units in Stalham, were also submitted as evidence under the withdrawn planning application.

These detail the enquiries received and note that of those initially interested, some uses were not compatible with the surroundings and some required the site to be built out prior to use. In all, between July 2014 – September 2015 a total of 11no. expressions of interest were recorded in the marketing strategy quarterly monitoring reports.

Officers note the submission from the Stalham Area Business Forum relating to interest in the commercial units. This gives details of 7no. expressions of interest, with a further 2no. if planning conditions were to be varied to include more use classes. It is unclear whether the interested parties would require a fully built out scheme prior to use, although the submission suggests that this would likely be the case.

Information gleaned from Aldreds Chartered Surveyors on 28/04/2017 as part of the withdrawn application also points to the provision of new small commercial units on this site as being towards the unviable end of the scale. They highlight the cost per square foot (psf) most likely to be attained in Stalham (at that time) as being between £4.50 – £7.50 psf, whereas the cost of new units such as those permitted is in the region of £7.50 – £8 psf.

At the time of writing this report (February 2022), the site is still being advertised by online estate agents for commercial development under the extant permission, although this has now been removed as of March 2022.

Given the above, Officers consider that the quantitative and qualitative evidence bases submitted with regard to the extant commercial units show that it is highly unlikely that there is a reasonable prospect of the permitted units being built out the site; having already been on the market since 2013 with no substantive offers having been received.

Under NPPF (Section 11) Paragraph 122, *planning policies and decisions need to reflect changes in the demand for land*. It also states that where an allocated site is under review, as is the case with the preparation of the Emerging Local Plan, *applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area*.

It is also worth noting that there are a number of other existing, and potentially upcoming, areas within Stalham, and more widely in Brumstead to the north, which could facilitate new and expanding businesses in the area. Officers also note that site allocation Policy E12 for c. 4ha employment land adjacent to the A149/Stepping Stones Lane has not been brought forward within the lifetime of the adopted North Norfolk Core Strategy for development.

Affordable Housing

NNDC Strategic Housing has commented on this application highlighting the clear need for general needs affordable housing within this part of the District. They note that as the site is allocated, housing will be let to those applicants with the highest need; whereas under a rural exception scheme, priority would be given to those with the strongest local connection. In light of this, of those on the Council's waiting list, as of the 01.03.22, 903 households have expressed an interest in living in the Stalham area, with 153 of these applicants being in Bands 1 or 2.

This application is proposing 100% affordable housing for the 40 general needs dwellings. These will be a mix of 28 affordable rent (70%) and 12 shared ownership properties (30%). The split of property types throughout the proposal, ranging from 1-bed flats to 4-bed houses, closely matches current need. In providing this range of residential accommodation, Officers consider that the proposal will provide appropriate levels of on-site housing for a range of needs. The 100% affordable housing provision will be secured via a Section 106 Agreement.

Officers note the close relationship between this application and PF/21/1532 (61 extra care dwellings) and the more holistic approach to the development of the overall site that they provide in conjunction with each other. It is further noted that the two schemes would deliver a combined total of 101no. affordable homes in the Stalham area.

Given the provision of 100% affordable housing inherent in this application, Officers consider that the proposal meets the requirements of Policies HO 2 and HO 3 of the adopted North Norfolk Core Strategy.

Summary of Principle of Development

Officers note that this is a full application on an allocated site, therefore the requirements of the Council's spatial strategy under Policies SS 1, SS 2, SS 3, SS 13 are applicable. As such, the proposal is considered to be in accordance with these policies and the Council's spatial strategy given the exception-type nature of the proposal within the Countryside.

However, the proposal is considered to be contrary to the requirements of site allocation Policy ST01 as the residential quotient under this policy has already been largely achieved. Conversely, the proposal is considered to be in broad accordance with emerging Policy ST23/2 in respect of new residential development, although as previously this policy cannot yet be attributed any more than limited weight in the planning balance.

Given the provision of 100% affordable housing inherent in this application, Officers consider that the proposal meets the requirements of Policies HO 2 and HO 3 of the adopted North Norfolk Core Strategy. Officers also note that the provision of 100% affordable housing is a material consideration in its own right. This shall be assessed alongside the other policy and material considerations in the planning balance in Section 12 of this report.

2. Design

Housing Mix, Type and Density

Under Policy HO 7 new residential developments in Secondary Settlements, as defined by Policy SS 1, are required to achieve a minimum housing density of not less than 40 dwellings per hectare. As the proposal is for a housing density of 40no. dwellings on 0.84ha (48 dwellings per hectare, marginally more than the policy requirement), the proposal is considered to be in accordance with the requirements of Policy HO 7 and NPPF (Section 11).

Under Policy HO 1, schemes of more than five residential dwellings are required to provide at least 40% of the dwellings at not more than 70 sqm internal floor space (but still in line with other technical housing standards). For a scheme of 40 dwellings, this would equate to c. 16 of the proposed dwellings being under 70 sqm. This application provides 18no. dwellings at this size. Officers therefore consider the proposal to be in accordance with Policy HO 1 in this regard.

Policy HO 1 also requires at least 20% of the dwellings to be suitable or easily adaptable for occupation by the elderly, infirm or disabled. Strategic Housing have identified that they would normally seek a number of single storey bungalows in this regards. However, as the proposal is adjacent to, and somewhat co-existent with, application PF/21/1532 for a 61-bed extra care centre, it is considered that the need for homes suitable for older people has been mitigated in conjunction with the adjacent application. In noting that, Officers also consider that the proposed ground floor flats would meet the policy in of themselves due to their internal layouts and access. It is noted that whilst the flat on the first and second floors would also meet the requirements in all probability, there is no lift within the building to facilitate wheelchair access to these. This would account for c. 16% of in policy terms. Similarly, Officers consider the proposed dwellings to be of appropriate sizes for their intended use in this instance. Nonetheless, this is considered to be a partial policy departure and, as such, shall be considered in the planning balance in Section 12 of this report.

Layout

The overall site is split into three distinct sections; two of which are being considered under this application, as the central portion of the site falls under application PF/21/1532. The northern section of the site hosts 16no. residential dwellings which take a linear form and abut the existing residential development the north and west. This is made up of 3no. rows of 3no. terraced houses, with 2no. pairs of semi-detached dwellings. Car parking is to the front of the properties which, whilst not considered ideal from an urban design perspective, is commonplace in this area and serves a functional purpose which would unlikely be accommodated elsewhere on the site given the proposed density and layout.

The southern section of the site hosts 3no. pairs of semi-detached dwellings and a 3-storey block of 18no. flats. The dwellinghouses are located just off Yarmouth Rd to the south, and face rear garden on so as to try and lessen the impact of additional housing built form on the existing streetscene. The flats are located to the north of the southern section of the site and face the new access road gable-end on. This has been done to attempt to lessen the visual impact of the proposal when viewed from Ingham Rd to the west, across the area of existing public open space. Between the dwellinghouses and the flats lies a central area heavily dominated by car parking and hardstanding. This is necessary to achieve the requisite car parking standards on-site. However, Conservation & Design and Landscape Officers comment that this effectively dilutes the impact of the open space to the west, particularly as this area was intended to be a green corridor area under the extant planning permission, which would be lost under the proposal.

Scale, Massing and Form

The design of the proposed dwellings and flats have gone through a number of iterations, with

some elements being amended or removed following consultation with Conservation & Design and Landscape consultees, as well as comments received from the Town Council and members of the public.

The proposed flats form a 3-storey building c. 30m in length, c. 12m at its tallest, and c. 16m deep. Its form resembles that of the proposed extra care building under application PF/21/1532; although is subservient to its height by c. 1.2m. To try and add some articulation and definition into the scheme, the application proposes some varying roofline heights and a mix of different materials throughout to break up to elevations. There is some detailing around the windows to try and add some slight shaping to the blocky exterior and the inclusion of dormer windows breaks up the eaves line. Although, this in itself adds an additional layer of unintended linearity to the overall façade of the building. Some articulation to the front elevation has also been introduced in an attempt to alleviate the regimented appearance of the building.

Conversation and Design Officers note that due to its similarity to the proposed extra care development, the proposed flats share many of the same concerns. As a result, they object to the proposal and note that the proposed flats by themselves would form a *daunting prospect* in this area, but the effects would be cumulative with the proposed extra care building and would likely have a *significantly injurious impact on this part of the town*.

The proposed dwellings are of a relatively generic design. Some differentiation has been made between the different house types in terms of size and materials used – with some dwellings being spit half render and half brickwork, whilst others are reliant on full render – but there is little to anchor the proposal within the local vernacular. Conversation and Design Officers note that due to their linear terraced form, there are *no real opportunities for creating a layered or evolving street scene*.

Conversation and Design Officers recognise the public benefits of the proposal, although maintain their objection in design terms.

Officers have taken these comments into consideration and broadly concur with the assessment made by Conservation and Design in terms of the proposal's design limitations and impacts on the character of the area and its local vernacular. It is noted that the applicant has responded to the comments made during the iterative design amendments. Ultimately, however, the design of the proposal is still considered not to be in-keeping with the prevailing form and character of the area. Whilst attempts have been made to lessen the impact of the proposal in design terms, which work to some limited degree, the proposal is still considered to be lacking in outstanding or innovative design.

Materials

The proposal would be constructed predominantly from Longwater Gresham and Brancaster blend bricks, with areas of Hardie Plank Iron Grey, Teckwood Stone Grey, Corten Steel (weathered), and Weber Ivory cladding around the main entrance and in areas of the eastern and south-western elevations. The two roof elements are proposed to be constructed of Redland Fenland Farmhouse Red or Sandtoft Shire Terracotta Red pantiles across the central span of the building, with Sandtoft New Rivius Antique slate on the northern and southern wings. The external windows and doors are proposed to be white UPVC, with black UPVC rainwater goods throughout.

These exact materials to be used within the development can be secured by conditions to ensure that the materials to be used a satisfactory. The same materials shall also be used for the bin storage areas, with further details of cycle parking areas to be secured by conditions.

Conservation and Design Officers have confirmed that the proposed materials are acceptable, notwithstanding the concerns raised in relation to the overall design of the proposal.

On-Site Landscaping

As part of this application, 9no. mature trees at the site entrance on Yarmouth Rd are set to be removed to facilitate the new access road and visibility splays as detailed in the submitted Arboricultural Impact Assessment (ref: JBA 21/235 AR01 Issue A, dated 22/07/2021). This is considered to significantly alter the character of the area and the approach to Stalham from the east. Landscape Officers have expressed their concerns over this and have recommended that replacement large tree stock of similar species are planted in this area as mitigation.

A revised proposal has been submitted for the on-site landscaping as a result of comments received by Landscape Officers. The northern section of the site is bounded to the east by an existing mature hedgerow, which is to be left in situ. The frontages of the proposed dwellings will be separated by a mix of Laurel hedging, Field Maple and Bird Cherry trees. There is a small area of open space between the two pairs of 4-bed semi-detached dwellings; although Landscape Officers note that this is of little particular use and could be better used as a planted seating area. Lime and Silver Birch trees are to be planted in the rear garden of Plot 22 to help screen it from the proposal extra care building under PF/21/1532. In all, the on-site landscaping at the north of the site is considered to correspond relatively well to the existing residential development. Conditions shall be secured to provide small mammal access through areas of close board fencing to allow for their movement across the site.

At the south of the site, the proposed dwellinghouses will face Yarmouth Rd rear garden on. The applicant is proposing to reinforce the existing hedgerow with a mix of Hawthorne, Lime, Silver Birch and Rowan. Similarly, the car parking areas will be interspersed with areas of grass, Bird Cherry, Cherry, Rowan, Swedish White Beam, and Lime. The proposed drying area to the west of the proposed flats will contain a mix of turf and wild meadow grass. The site will be bounded on the east by a new 1.2m post and rail fence to try and better anchor the proposal into the landscape by avoiding the overuse of close board fencing.

Landscape Officers have commented on this revised landscaping scheme during an informal phone call on 15/10/2021 and note that whilst the changes made constitute an improvement to the on-site landscaping, it is not enough to remove Officers' objection in this regard.

Officers note that the proposal includes a numbers of trees lining the proposed access road at the south of the development, with further trees (mostly within the curtilages of the proposed dwellings, but not exclusively) in line with NPPF (Section 12) Paragraph 131.

Summary of Design

Given the assessment above, and the objections from Conservation & Design and Landscape consultees, it is considered that the proposal is not in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy, North Norfolk Design Guide SPD, and NPPF (Section 12) in this instance. This policy departure will be weighed against the other policy requirements and material considerations in making a recommendation for this application in Section 12 of this report.

3. Landscape

Landscape Character Assessment

The site lies within Settled Farmland (SF1 Stalham, Ludham and Potter Heigham), as defined

in the adopted North Norfolk Landscape Character Assessment SPD. Stalham is the main settlement within a landscape characterised by flat arable topography bordered by woodland fringing the Broads. Edge of town development and settlement expansion pressures on the edge of Stalham is cited as a potential detracting factor in this otherwise rural character area. So too is the increase of light pollution associated with new development on the sense of remoteness, tranquillity and dark skies associated with this landscape type.

The proposal has been reviewed by Landscape Officers in respect of its potential impacts upon the surrounding landscape. They note that whilst the northern part of the proposal could be broadly assimilated into the surrounding built environment of the site, the southern section fails to respond well to its context in terms of the proposal's scale and massing and dominant use of car parking areas.

Landscape Officers also note that the residential development would be better suited to the land to the east of the site on Yarmouth Rd to leave a natural green space continuity break between the proposal and the town centre. However, Officers note that this land is outside of the applicant's ownership and, as such, has not been included within the proposal.

Officers broadly agree with the consultee comments with regard to landscape character impacts. It is considered that due to the nature of the development as residential dwellinghouses and flats, and its reliance on large areas of hardstanding to accommodate car parking facilities, the proposal is not informed by or is sympathetic to its surroundings. Nor does it serve to protect, conserve or enhance the special qualities and local distinctiveness of the area. As such, the proposal is considered to be contrary to the requirements of Policy EN 2 of the adopted North Norfolk Core Strategy in this instance.

4. Amenity

Residential Amenity

Distances to existing dwellings – At the northern section of the site, the proposed dwellings are sited c. 7m away from the closest dwellings to the west and c. 12m away from the closest dwellings to the north. There are no existing dwellings to the east of the site.

At the south of the site, the closest dwelling to the east is c. 48m away, to the north-west c. 23m away, and to the south c. 25m away over Yarmouth Rd. The Listed Building complex to the west is over c. 80m away from the nearest proposed dwelling.

Distances to proposed extra care dwellings under application PF/21/1532 – To the north of the site, the closest proposed dwelling to the proposed extra care building (PF/21/1532) would be c. 34m away and to the north-east c. 11m to the closest dwelling.

To the south of the site, the proposed flats are c. 10m away from the proposed extra care building, with the closest dwellinghouse being c. 57m away to the south.

Overbearing – The northern section of the proposal is considered to not pose a significant detrimental effect in terms of overlooking. As the proposed dwellinghouses are 2-storey, it is considered that they form a similarly sized extension to the residential development to the north and west.

At the south of the site, the proposed dwellinghouses are also considered not to pose a significant detrimental effect in this regard as they are sited rear garden on to Yarmouth Rd and have good separation distances to existing and proposed dwellings.

The proposed flats, being a smaller version of the proposed extra care building, is considered to be located far enough away from existing and proposed dwellinghouses to not cause a significant detrimental effect. However, Officers note its dominance in the landscape, particularly when combined with the proposed extra care flats. Its effects on the proposed extra care building itself is not expected to be significant as they are offset from each other in such a way that the proposed flats will face the car parking area.

Overshadowing – The proposed dwellinghouses to the north and south of the site are not expected to overshadow any existing or proposed dwellings due to their 2-storey nature and separation distances.

The proposed flats are expected to have some effect on the proposed extra care facility, particularly in the early afternoon, due to its location to the south-west of the proposed extra care flats. However, given the internal layout of the proposed extra care flats, and the separation between the two buildings, this effect is not expected to be significant as they will still receive direct sunlight at other times of the day.

Overlooking – The North Norfolk Design Guide SPD provides the minimum acceptable distances from window to window in order for developments to maintain appropriate levels of residential amenity in terms of overlooking.

With regard to the northern section of the site, the proposed dwellinghouses are not expected to cause a significant detrimental effect in terms of overlooking, as the separation distances between them and the existing dwellings are considered acceptable, particularly with the inclusion of a 1.8m close board fence at the end of the rear gardens. With regard to Plot 22, Officers note that there are no windows shown on the proposal that directly overlook the proposed extra care building. As the dwelling will be surrounded by a 1.8m close board fence, Officers do not expect an issue in terms of overlooking in this instance.

At the southern section of the site, the proposed dwellinghouses are considered not to pose amenity impacts in terms of overlooking. The proposed flats have been sited in such a way that no windows directly overlook any windows on the proposed extra care building. As such, the proposal is not considered to cause a significant detrimental effect in terms of overlooking.

Loss of outlook – Given the locations of the proposed development, both at the north and south of the site and the distances to the nearest existing dwellings, it is considered that the proposal would not have a significant detrimental effect on the outlook from the existing dwellings.

Future occupiers – Each of the proposed dwellings exceeds the nationally described minimum space standards. To the north of the site, the proposed dwellings have relatively well-sized rear gardens, being no less than the footprint of the dwelling (as recommended in the North Norfolk Design Guide SPD). However, there are no front garden spaces as these areas have been taken up with car parking facilities, as is also seen throughout the neighbouring residential development.

To the south of the site, the proposed dwellinghouses again have relatively well-sized rear gardens. Officers note that the rear garden of Plot 5 is smaller than the rest of the provision in this area, although this is not considered to be of significant concern as it is still relatively well proportioned. The proposed flats have access to some small areas of green amenity space immediately around the building, as well as access to a separate clothes drying area. Future occupiers will also have good access to the adjacent public open space to the west.

Noise and Odour

The main concerns arising in regard to noise and odour pollution from the proposal are expected to be during the construction phase. As such, a pre-commencement condition for a Construction and Environmental Management Plan, including details of a noise, dust and smoke management plan, shall be secured to ensure any adverse effects of construction are minimised as far as is possible.

Environmental Health also recommend a condition to secure the details of all heating, ventilation, air conditioning, refrigeration, mechanical extractor systems or any other plant and equipment to be used within the development. This is to ensure that the equipment used within the proposed dwellings is satisfactory and will not have an adverse effect on the residential amenity of future occupiers.

External Lighting

A revised external lighting plan has been submitted which details the locations and details the types of external lights proposed to be used on-site as required by consultees. These include feature soffit down-lighters around the main entrance, wall-mounted lights at regular intervals across the elevations and mounted below 1.8m, and bollard lighting being proposed in areas of hardstanding such as the car park area. The external lighting is only to be used when required and will not be dawn 'til dusk. Conditions shall be secured to implement and maintain an acceptable external lighting strategy.

Refuse and Waste

The applicant has submitted a Refuse and Waste Strategy in support of the proposal. This details that each of the proposed dwellinghouses will have its own bin storage area off the street frontage to the side/rear of the property. The proposed flats are to use a communal bin store to the south-west of the building at the entrance to the southern section of the scheme. This will house 2no. 1100 litre general waste bins and 2no. 1100 litre recycling bins. Household waste is set to be collected on a weekly basis. It is unclear whether refuse will be collected by NNDC or a private contractor. As such, the full details of refuse collection can be secured by conditions alongside the details of the refuse storage areas as recommended by Environmental Health.

Summary of Amenity

In light of the above assessment, it is considered that the proposal is in broad accordance with the requirements of Policy EN 4 in terms of amenity. It is also considered that subject to the necessary pre-commencement and other conditions to be sought in liaison with the relevant consultees, the proposal is also in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy.

5. Flooding Risk and Drainage

Flood Risk

The site lies within Flood Zone 1 as detailed by Environment Agency mapping. Policy EN 10 states that most new development in the District should be located within this flood zone; based on a sequential approach. NPPF (Section 14) Paragraph 167 also requires the submission of a site specific flood risk assessment to ensure that flood risk is not increased elsewhere. The applicant has submitted a Site Specific Flood Risk Assessment detailing the flooding risk for this site. This details that the site is at very low risk from surface water and

fluvial flooding. It also details that the site has a risk of groundwater flooding of < 25%, based on the Council's Strategic Flood Risk Assessment (Map NN_52).

Surface Water Drainage

For dwellings at the southern edge of the northern parcel of the proposal, surface water drainage is proposed to be dealt with via infiltration through a shared cellular soakaway located in the rear gardens of the properties, at a minimum of 5m away from the dwellinghouses. These have been modelled to provide suitable drainage for 1 in 100 year + 40% climate change storm event, inclusive of an additional 10% for urban creep. Driveway areas to the front of the dwellings are also to be constructed from permeable paving to allow for infiltration in these areas. Dwellings on the northern boundary will dispose of surface water via infiltration by means of soakaways located under the driveways.

To the south of the site, surface water drainage is proposed to be disposed of from private driveway and parking courts by being piped into the subbase beneath these areas. Surface water will then be subsequently piped into the access road network and into the infiltration basin to the west of the site, which was constructed as part of the extant planning permission PF/12/1427, via a gravity piped network.

Surface water drainage in the proposed roadway will be accommodated via trapped gullies and a gravity piped network directly into the existing SuDS infiltration basin to the west of the site (associated with application PF/12/1427). A downstream defender will be installed to treat all surface water captured by the highways surface water drainage network.

The revised drainage strategy also includes provision for surface water management during construction and a maintenance and management plan, which details the ongoing maintenance responsibilities and timetable for the surface water drainage system on-site.

Following the submission of the revised Drainage Strategy, the Broads Internal Drainage Board and LLFA are content with the proposed surface water drainage strategy for this site.

Foul Water Drainage

The applicant has detailed that foul water will be disposed of via mains drainage within the Anglian Water (AW) network. AW have confirmed that there is available capacity for the projected flows at the Stalham Water Recycling Centre (WRC) and within the used water network. AW have requested that informative notes are added to the decision notice should the applicant wish AW to adopt the proposed on-site network. A Habitats Regulations Assessment (detailed further in Section 9) has found the foul water drainage strategy to be acceptable.

Given the above and comments received from the relevant consultees, the proposal is considered to be in accordance with Policy EN 10 of the adopted North Norfolk Core Strategy and NPPF (Section 14).

6. Highways Safety

Location Sustainability

The proposal is located to the north of Yarmouth Rd and is sited relatively centrally within the town. The site provides easy access by foot to Stalham High St, c. 180m west, and hosts a range of local services and facilities including shops, cafes, pubs, a post office and the local

library. However, the quantum of local services on offer in the area is considered to be limited in Paragraph 2.9.33 of the support text to Policy SS 13.

The Policy also notes that due to this limited quantum of local services, developments should be sought which allow for a mixed use approach to housing and employment opportunities to help create a more balanced and self-contained community. In this instance, it is prudent to consider this application in the context of the wider of site and in relation to application PF/21/1532. Officers also note the emerging site allocations, Policy ST23/2 for the proposal site for c. 80no. additional residential dwellings, and Policy ST19/A which proposes a further c. 70no. dwellings to the north of the site. As such, Officers consider this proposal to fall within the acceptable parameters of residential development in this area of Stalham in considering its impact on local services and facilities and strategic inclusion in the Emerging Local Plan.

The proposal will maintain footway and cycle links through the residential development to the north, and will provide a new access onto Yarmouth Rd to maintain suitable permeability and connectivity to the wider area. This can be secured by conditions. The site is also located c. 380m from the local superstore to the west, and c. 140m away from the local doctor's surgery to the south west. There is good local school provision for all levels of education nearby within Stalham which has been shown to have sufficient capacity by Norfolk County Council to take prospective students from the proposal.

The site also lies adjacent to bus stops serving the nearby town of North Walsham (c. 9mi to the north west), Norwich (c. 15mi to the south west), and Great Yarmouth (c. 17mi to the south east). These routes are served relatively frequently throughout the day.

The proposal is therefore considered to be sustainably located and provides good access to Stalham and wider areas without a reliance on private transport as the principle mode of travel. As such, the proposal is considered to be in accordance with Policy SS 6 in this regard.

Impacts on Highways Safety

The proposal will create a new road access onto Yarmouth Rd; a 30mph residential highway. The quantum of traffic generated by the proposal has the potential to add upwards of c. 83 private vehicles onto the site. As the site is in the process of being reallocated in the Emerging Local Plan, Officers note that the sustainability of the required road access is likely to be in accordance with policy requirements, as it is proposed to accommodate c. 80 new dwellings with associated car parking.

Comments received from the local District and County elected members in terms of highway infrastructure concerns and potential mitigations have been noted and assessed as part of this application. However, the proposal is not expected to generate an unacceptable amount of additional traffic on the local highway network, nor have any planning obligations been sought by the Highways Authority which would require the facilitation of off-site highways improvements works as part of the proposal, other than the inclusion of new footpaths, a crossing point at the site entrance, and the relocation of lampposts and telecoms boxes.

The Highways Authority note they do not have an in principle objection to the proposal, and the concerns raised by them in terms of technical details have been satisfactorily resolved for this stage of the application process. A number of conditions have been proposed, which are detailed further at the start of this report, which Officers are content to secure to ensure that the proposal does not have an unacceptable impact on the local highway network or highways safety. As such, the proposal is considered to be in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy and NPPF (Section 9), particularly Paragraph 111 in this instance.

Car Parking Provision

Under Policy CT 6 and Appendix C: Parking Standards of the adopted North Norfolk Core Strategy, the required number of on-site car parking spaces for the proposal, insofar as it relates to C3 residential housing is:

- Car parking
 - 1-bed units – 13.5 spaces
 - 2-bed units – 30 spaces
 - 3-bed units – 24 spaces
 - 4-bed units – 12 spaces
 - *Total expected car parking provision = 79.5 spaces*
- Cycle parking for communal flats
 - 1 space per unit = 18 spaces
 - 1 visitor space per 4 units = 4.5 spaces
 - *Total expected cycle parking provision = 22.5 spaces*

Under this proposal, provision has been made for the following:

- Car parking – 75 spaces (2 of which are disabled parking)
- Cycle parking – 24 spaces

Officers note that the applicant has provided the requisite amount of on-site cycle parking required for this quantum of development. However, there is a deficit of 4no. car parking spaces against the policy requirements. Officers note that 2 car parking spaces have been removed from the north of the site to facilitate use of a small area of open space. It is also noted that site is located in a sustainable location, and that adjacent application PF/21/1532 overprovides in terms of on-site car parking; although this is being considered in its own right.

As such, the proposal is considered to only partially be in accordance with Policy CT 6 of the adopted North Norfolk Core Strategy in this instance in terms of adequate car parking provision.

7. Sustainable Construction

Policy EN 6 outlines the Local Planning Authority's approach to sustainable construction and energy efficiency, including the provision of on-site renewable energy technologies to provide for at least 10% of predicted total energy usage for developments over 1,000sqm or 10 dwellings (new build or conversions).

North Norfolk District Council declared a Climate Emergency in 2019, and the recent publication of the Intergovernmental Panel on Climate Change (IPCC) report (2021) has demonstrated that *human influence has unequivocally impacted on our changing climate*. NNDC's commitment to tackling climate change is considered to be an important consideration in determining this application; so too are the provisions of NPPF (Section 14) Paragraphs 154 and 157. These require applicants to build-in climate change/renewable energy mitigations from an early stage within their schemes, and comply with LPA policy requirements for the use of decentralised energy supplies within development proposals.

As part of the submitted Design and Access Statement, the applicant has outlined their position in relation to sustainable construction. They highlight that the proposal will use a Fabric First approach to development and achieve a Standard Assessment Procedure (SAP) (the methodology used to assess and compare the energy and environmental performance of dwellings) rating of at least 86. They also provide information about how the proposed

dwellings make use of building techniques to reduce heat loss by designing out thermal bridging. The applicant has noted the lack of a mains gas supply in Stalham, and stated that the proposal will make use of solar photovoltaic (PV) panels on some of the dwellings to provide a renewable energy generation source on-site.

The specific details of the solar PV panels and proposed locations within the site have not been submitted as part of this application. However, Officers note the use of solar PV panels within the residential development to the north west of the site and high school to the west. It is therefore considered that an appropriate scheme of solar PV panel provision can be satisfactorily accommodated on this site, particularly towards its northern section, without detrimentally impacting on the design and/or residential amenities of the proposal or the surrounding landscape.

As such, Officers shall secure a pre-commencement condition to ensure that the proposal provides appropriate levels of on-site renewable energy use and generation. In light of this, it is considered that the proposal is in broad accordance with Policy EN 6 of the adopted North Norfolk Core Strategy in this instance.

8. Heritage and Archaeology

Listed Buildings and Conservation Area

Under the provisions of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and NPPF (Section 16) Paragraph 200, special attention is to be paid to the desirability of preserving or enhancing the character or appearance and settings of Listed Buildings or any features of special architectural or historic interest, and the character of the Conservation Area.

In considering development proposals affecting heritage assets, Core Strategy Policy EN 8 sets out that development that would have an adverse impact on special historic or architectural interest will not be permitted. However, this element of Core Strategy Policy EN 8 is now not fully consistent with the guidance set out in the National Planning Policy Framework which is more permissive towards allowing development affecting heritage assets but only where there are clear and convincing public benefits in favour, in accordance with the statutory requirements set out above.

The site lies outside of and to the east of the Stalham Conservation Area and the Grade II Listed Church Farm complex. Further to the east of the proposal site lies the Grade II*/Grade II Listed Stalham Hall complex. Given the proposal's proximity to these assets, its impacts are considered to be indirect and confined to the settings of these assets.

Conservation and Design consultees identify that the proposal may *potentially harm the setting of the Stalham Conservation Area and the Grade II Listed Church Farm complex* insofar as removes an area of open space at the south of the site where new dwellings are being proposed. The space was originally left open in the extant planning permission and was intended to form a transitional visual link through the allocated site from the main envelope of Stalham to the west of the site, and the relatively newer area of Stalham to the south and east of the site.

In noting the comments received from Conservation and Design, Officers are aware that the level of potential harm has not been quantified. Officers consider that this would likely be 'less than substantial' harm yet remain unconvinced that the proposal would harm the significance or the setting of the Stalham Conservation Area or the Listed Buildings to the west due to its scale and residential vernacular. Whilst Officers consider that the proposal does not enhance

the character or appearance of these heritage assets, it is considered that its effects on them would be broadly neutral given their proximity to the site, existing landscaping buffers and the prevailing developed form within this area of Stalham. In any event, if the proposals were considered to be harmful to the setting of heritage assets, there are public benefits associated with the provision of much needed affordable dwellings that would likely outweigh any identified 'less than substantial' harm to heritage assets.

As such, the proposal is considered to be in accordance with Policy EN 8 of the adopted North Norfolk Core Strategy in this instance, as well as NPPF (Section 16) and has regard for the requirements of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Archaeology

The site is known to contain some elements of archaeological interest, as considered under extant planning permission PF/12/1427. Condition 33 of this permission required an Archaeological Written Scheme of Investigation to be undertaken across the whole of the site, including the areas covered by this proposal. This condition was discharged in 2014 in liaison with Norfolk County Council's Historic Environment Service.

Three reports were created as part of the archaeological process. Two were submitted in evidence to discharge Condition 33; ref: J3056 (Geophysical Survey Report), dated February 2012 and ref: TG 3771 2520_4151 (An Archaeological Evaluation (Trial Trenching)), dated September 2012. One academic paper detailing the findings was also published: Newton, A., (2017) Prehistoric Features and a Medieval Enclosure at Stalham, Norfolk, *Norfolk Archaeology XLVII*, pp. 498–510.

Officers note the comments received from Cllr Taylor with regards to archaeology on this site, particularly relating to a First World War military encampment (which is to be recorded by NCC Historic Environment Service). NCC Historic Environment Service also require that specific areas of the site not excavated in the scope of the works highlighted above are undertaken prior to the commencement of development. A relatively small area at the south east of the site was surveyed under the previous archaeological phase which shows the potential for a continuation of the medieval finds found under the previous works. These works can be secured by conditions.

9. Biodiversity

Habitats Regulations Assessment

A Habitats Regulations Assessment (HRA) was required as part of this application under the Conservation of Habitats and Species Regulations 2017 (as amended), Policy ST01 and Emerging Policy ST23/2, and advice received from Natural England, to determine whether any Likely Significant Effect (LSE) of the proposal could be ruled out on nearby designated habitats sites and demonstrate that the proposal would not have an adverse effect on the integrity of these sites. A Stage 1 HRA Screening Assessment was undertaken by the Council, as the Competent Authority, which determined that a LSE could not be ruled out in relation to three principal factors;

- Impacts of foul water drainage and hydrological connectivity to The Broads and concerns over phosphate levels from Stalham Water Recycling Centre (WRC);
- Impacts of surface water and groundwater from the proposal on water quality and local hydrology networks into The Broads; and,

- Impacts of recreational disturbance as a result of the proposal on The Broads and other East Coast Special Protection Areas and Special Areas of Conservation sites.

The Council did not receive any notification of a Judicial Review in the 6 weeks following the publication of the Stage 1 HRA Screening Assessment on 01/11/2021.

Following the publication of the Screening Assessment, the applicant engaged an Ecologist to prepare information for a Stage 2 Appropriate Assessment to address the above LSEs and provide further evidence and proposed mitigation measures to satisfactorily rule out any ongoing LSEs in these terms.

Natural England have reviewed the information submitted in the Appropriate Assessment and raise no objections to the proposal subject to securing the appropriate mitigations. These are the provision of a significant amount of greenspace, access routes for dog walking, and sustainable drainage systems to manage and process surface water drainage.

The Council has also reviewed the information submitted to inform its own assessment, as the Competent Authority, and the comments received by Natural England. Landscape and Ecology Officers have been able to conclude that LSEs are able to be ruled out in respect of the abovementioned concerns via ongoing water quality and phosphate monitoring at Stalham WRC under their Environmental Permitting processes, the satisfactory implementation of the surface water drainage strategy detailed in Section 8, and the securing of relevant planning obligations to address visitor impact pressures as detailed in the following section. The submitted information is of an adoptable standard by the Council.

Additionally, Officers consider that the proposal addresses Natural England's mitigation requirements in utilising the open space in association with the extant permission (PF/12/1427) under site allocation Policy ST01 (as this will be open and accessible to future residents) and noting the emerging policy requirement for an additional 0.21ha of open space required under Emerging Policy ST23/2 on the wider site. Officers shall also secure interpretation boards and information about local Public Rights of Way routes and secure financial contributions towards dog waste bins and their maintenance along these routes (i.e. Weaver's Way and Stalham Staithe Circular Walk) via conditions and Section 106 Agreement.

GI/RAMS

North Norfolk District Council, in conjunction with Natural England and other Norfolk Councils, produced the Norfolk Recreation disturbance Avoidance and Mitigation Strategy (RAMS) and Green Infrastructure Strategy (GI) to ensure new residential development and any associated recreational disturbance impacts on European designated sites are satisfactorily mitigated and compliant with the Habitats Regulations.

The obligations sought from the GI/RAMS Strategy, by way of a financial contribution per new dwelling, are required to rule out any Likely Significant Effect from visitor impact pressures arising from new residential developments on these designated habitats sites in HRA terms. The proposal lies within the defined Zones of Influence of a number of designated sites, including The Broads SAC and Broadland SPA. As such, financial contributions towards the offsetting of pressures caused by new residential development on these sites are required. The required obligations are detailed in Section 11 of this report.

The applicant agrees with this approach and has agreed that these contributions shall be secured via a Section 106 Agreement.

On-Site Biodiversity

The applicant submitted a Preliminary Ecological Appraisal and Impact Assessment in support of this application. It recommends a number of on-site ecological enhancements which would be beneficial to on-site biodiversity. These would help to ensure that there is a minimal impact on the conservation status of any protected, important or rare species within the local area. These recommended enhancements include the retention of existing hedgerows, the addition of bird and bat boxes across the site, incorporating native species into a soft landscaping scheme, and providing 'hedgehog links' in on-site fencing to facilitate small mammal movement throughout the site. Conditions shall be secured for the implementation of the proposed ecological enhancements, As such, the proposal is considered to be in accordance with Policy EN 9 of the adopted North Norfolk Core Strategy.

10. Other Material Considerations

Contaminated Land

The applicant submitted a desk-based Contaminated Land Report following consultee comments received from Environmental Health requiring a report specifying the suitability of the site for occupation (under application PF/21/1532). The report concludes that the site has shown no sign of development or use, other than as farmland, since the early 1900s. Subsequent consultee comments agree that the degree of risk of contamination is low based on the former land use, but cannot be ruled out completely.

As no contamination testing has been undertaken to rule out the presence of any potential contamination on-site, Environmental Health require an informative note to the applicant detailing their responsibilities for ensuring the safe development of the proposal and secure occupancy for future occupiers. A condition shall also be secured to ensure that any unexpected contamination found during construction is reported to the LPA and satisfactorily remediated before works are allowed to continue.

Pre-Commencement Conditions

The recommendation proposes pre-commencement planning conditions. Therefore, in accordance with Section 100ZA of the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018, the Local Planning Authority served notice upon the applicant to seek agreement to the imposition of such conditions. Notice was served and confirmation of the agreement is currently awaited from the applicant. An update will be provided at the Development Committee meeting.

11. Planning Obligations

As part of this application, Norfolk County Council and North Norfolk District Council require certain planning obligations in order to address the impacts on local services and infrastructure that the proposal will pose. These would be secured via a Section 106 Agreement, with the mitigative financial contributions being used for the specific purposes detailed therein. The planning obligations required for this application are detailed below.

Required Contributions

Public Open Space – North Norfolk District Council require the following financial contributions with regard to off-site public open space mitigation, based on the calculations for residential development, in line with the North Norfolk Open Space Assessment (February 2020):

- Allotments – £11,407
- Parks & Recreation Grounds – £87,001
- Play Space (Youth) –£5,838
- Natural Green Space – £25,836
- *Total contributions required – £161,668*

On-Site Open Space – The proposal is also required to provide 851 sqm of on-site amenity green space based on the quantum of proposed development. The proposal provides c. 887 sqm across the site. It is noted, however, that the majority of this open space is relatively ad hoc and unusable for recreational use and should not be considered as satisfactory provision in this instance. Of that, only c. 620 sqm could reasonably be considered as ‘public open / amenity space’, although its usability for recreational purposes remains doubtful.

Officers also note the adjacent provision of a large area of public open space to the west of the site, associated with PF/12/1427. Whilst this area forms the policy requirement for the quantum of open space required under Policy ST01, this proposal is being considered in its own right as it provides 30no. additional dwellings over the housing numbers requirements of this policy. Similarly, Emerging Policy ST23/2 also requires the provision of not less than 0.21ha of public open space, which this proposal does not provide in of itself.

The provision of 85.1 sqm on-site children’s play space is required from the proposal. This has not been provided within the proposal. A financial contribution of £14,361 would therefore be required to enhance local provision of children’s play equipment in light of the impacts on said local provision the proposal is likely to have. However, the applicant has submitted a viability assessment to demonstrate that they are unable to provide the financial obligations required for off-site contributions under this application. This is detailed further in the following section.

GI/RAMS – As the proposal site lies within the Zones of Influence of a number of designated sites, including The Broads SAC and Broadland SPA, contributions totalling £7,437.20 (40 x £185.93) as mitigation for the future impacts of the proposed development on these designated sites are required.

Local Infrastructure – Norfolk County Council are seeking contributions towards the follow local infrastructure provision:

- Education – No contribution required as there is spare capacity at Early Education, Infant, Junior and High school levels;
- Libraries – £3,225;
- Green Infrastructure – £8,600 (in addition to that required by Natural England and the Habitats Regulations Assessment Appropriate Assessment detailed in Section 9); and,
- Fire hydrant – 1 hydrant per 50 dwellings (or part thereof) to be secured by conditions.

Viability Assessment

As part of this application, the applicant has submitted information detailing the viability limitations of the proposal. This information concludes that the proposal would be unviable if the planning obligations and contributions detailed above were to be required as part of this application. The information has been reviewed by the Council’s independent viability assessor and who has found that the viability of the proposed development is marginal with a developer return below normally acceptable levels. This is on the basis that no Section 106 contributions are made, other than the GI/RAMS contributions.

Given the above, the proposal has been found to be unable to provide the required off-site public open space and NCC Libraries contributions. As such, Officers note that the application

would be unable to comply with the full requirements of Policy CT 2 of the adopted North Norfolk Core Strategy in this unique instance. This departure from adopted policy shall be weighed against the other policy requirements and materials considerations of the proposal in the following section.

12. Planning Balance and Conclusion

The proposal is considered to be in accordance with Policies SS 6, HO 2, HO 3, HO 7, EN 4 (in relation to residential amenity), EN 6, EN 8, EN 9, EN 10, EN 13, and CT 5 of the adopted North Norfolk Core Strategy. These principally relate to location sustainability, provision of affordable housing, development density, renewable energy provision, heritage, biodiversity, surface and foul water drainage, minimising/preventing the risks from pollution, and impacts on highways safety.

The proposal is considered to only be partially in accordance with Policies SS 1, SS 2, SS 3, SS 4, SS 13, HO 1, and CT 6 of the adopted North Norfolk Core Strategy. These principally relate to the Council's spatial strategy for development, impacts on the environment, housing mix and car parking provision. The proposal is also considered to be in partial accordance with Emerging Policy ST23/2 of the Emerging North Norfolk Local Plan 2016 – 2036 (Regulation 19). Officers note that at this stage in the adoption cycle of the Emerging Local Plan, only limited weight can be afforded to emerging policy considerations. However, it is considered that the emerging policies show the direction of travel in which the Council is proposing to steer development upon adoption of the Emerging Local Plan. The partial compliance with policies with regard to the Council's spatial strategy are also considered to be tempered by representation received by Planning Policy with regards to the location of 100% affordable housing development on this site and the recognition of the public benefits arising from this proposal; which shall be assessed in the following sections.

Conversely, Officers consider the proposal to be contrary to the requirements of Policies EN 2, EN 4, and CT 2 of the adopted North Norfolk Core Strategy, and Policy ST01 of the North Norfolk Local Development Framework Site Allocations DPD. These policy departures principally relate to the proposal's impacts on the landscape, its design, on-site open space, provision of contributions to off-set the impacts of development, and accordance with the current site allocation policy. Officers also note that only some of the planning obligations have been able to be secured under this application due to viability constraints, meaning that the proposal cannot fulfil all of its infrastructure obligations.

Whilst the departure from Policy ST01 is considered to be somewhat tempered by the clear and demonstrable need for affordable housing development within Stalham and the District more widely, and the comments received from Planning Policy, and the very slight under-provision of car parking is considered to be towards the more minor end of policy departures, the policy conflicts with Policies EN 2 and EN 4 and NPPF (Section 12), particularly Paragraphs 130 and 134, are considered to carry significant weight. This is due to the impacts of the proposal on the surrounding landscape and its overall design, which have been strongly objected to by the relevant consultees.

There are numerous public benefits which Officers consider to be relevant in the determination of the proposal. These include the short-term economic benefits of creating employment during the construction phase of development, as well as more long-term public benefits including a boost the local economy through an increased residential population who will require the use of local goods and services. Under NPPF (Section 11) Paragraph 122, the proposal is considered to satisfactorily reflect changes in the demand for land; in this instance from the extant commercial (for which no current business or feasibility case can be

demonstrated) to providing 40no. 100% affordable dwellings under an emerging site allocation.

The provision of this quantum of affordable housing is also considered to be of significant public benefit in its own right, given the clear and demonstrable need for affordable housing with the mix of housing options proposed within Stalham.

Whilst the Council is able to demonstrate a five-year housing land supply, the provision of 40 dwellings would nonetheless contribute positively to the ongoing supply and the Government's aim in NPPF (Section 5) Paragraph 60 of boosting significantly the supply of housing through ensuring that a sufficient amount and variety of land can come forward where it is needed, and is therefore a benefit, carrying its own weight.

Whilst finely balance, overall, given the assessment of the proposal against the policies in the adopted North Norfolk Core Strategy, and other material considerations relevant to the proposal, the proposal is found to result in significant benefit in the public interest, which is deemed to marginally outweigh, the specific conflicts within the relevant Development Plan policies as detailed above. As such the proposal can be considered favourably as a departure from adopted Development Plan policy.

RECOMMENDATION:

Part 1: Delegate authority to the Assistant Director of Planning to APPROVE subject to:

1) Satisfactory completion of a Section 106 Planning Obligation to cover the following:

- 40 affordable dwellings;
- GI/RAMS contribution of £7,437.20; and,
- Green Infrastructure contribution towards the installation and maintenance of dog waste bins and provision of resident green infrastructure information packs (exact details to be confirmed with NNDC Environmental Services).

2) The imposition of the appropriate conditions as set out in the list below (plus any other conditions considered to be necessary by the Assistant Director of Planning):

Part 2:

That the application be refused if a suitable section 106 agreement is not completed within 4 months of the date of resolution to approve, and in the opinion of the Assistant Director of Planning, there is no realistic prospect of a suitable section 106 agreement being completed within a reasonable timescale.

The proposed conditions referred to above in Part 1), 2) are as follows

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.

Reason:

As required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents, except as may be required by specific condition(s):

Location and Site Plans

- Plan ref: 79P/01 Revision D (Location Plan), dated 22/02/2022 and received by the Local Planning Authority on 02/03/2022.
- Plan ref: 70P/02 Revision G (Site Layout), dated 04/01/2022 and received by the Local Planning Authority on 10/01/2022.

Dwellings and Ancillary Buildings/Structures Plans and Elevations

- Plan ref: 79P-18 Revision B (Flats – Plans), dated 19/11/2021 and received by the Local Planning Authority on 26/11/2021.
- Plan ref: 79P-19 Revision D (Flats – Elevations), dated 22/02/2022 and received by the Local Planning Authority on 22/02/2022.
- Plan ref: 79P-11 Revision C (Plots 1 & 2 2 Bed 4 Person House), dated 22/02/2022 and received by the Local Planning Authority on 22/02/2022.
- Plan ref: 79P-12 Revision B (Plots 3 & 4 (and 5 & 6) 3 Bed 6 Person House), dated 22/02/2022 and received by the Local Planning Authority on 22/02/2022.
- Plan ref: 79P-13 Revision C (Plots 7-9 & 16-18 2 & 3 Bed Terrace Type A), dated 22/02/2022 and received by the Local Planning Authority on 22/02/2022.
- Plan ref: 79P-14 Revision B (Plots 10-12 & 13-15 2 & 3 Bed Terrace Type B), dated 22/02/2022 and received by the Local Planning Authority on 22/02/2022.
- Plan ref: 79P-15 Revision C (Plots 19 & 20 3 Bed 7 Person), dated 22/02/2022 and received by the Local Planning Authority on 22/02/2022.
- Plan ref: 79P-16 Revision C (Plots 21 & 22 4 Bed 6 Person), dated 22/02/2022 and received by the Local Planning Authority on 22/02/2022.
- Plan ref: 79P-17 Revision D (Street Scenes), dated 22/02/2022 and received by the Local Planning Authority on 22/02/2022.
- Plan ref: 79P.20 Revision B (Bin & Cycle Store), dated 25/11/2021 and received by the Local Planning Authority on 26/11/2021.
- Ref: 78P.29 (Materials Schedule), received by the Local Planning Authority on 23/02/2022.

Landscaping and External Lighting Plans

- Plan ref: 79P/03 Revision H (Southern Site Area Landscape Scheme), dated 04/01/2022 and received by the Local Planning Authority on 10/01/2022.
- Plan ref: 79P/06 Revision F (Northern Site Area Landscape Scheme), dated 04/01/2022 and received by the Local Planning Authority on 10/01/2022.
- Plan ref: 79P.05 Revision G (Southern Site Proposed External Lighting), dated 07/02/2022 and received by the Local Planning Authority on 22/02/2022.
- Plan ref: 79P/08 Revision E (Northern Site Proposed External Lighting), dated 07/02/2022 and received by the Local Planning Authority on 22/02/2022.

Drainage Plans

- Plan ref: 8580-111-001 (S104 Construction Details Sheet 1 of 2), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-111-002 (S104 Construction Details Sheet 2 of 2), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-112-001 Revision A (Private Construction Details Sheet 1 of 2), dated September 2021 and received by the Local Planning Authority on 06/01/2022.

- Plan ref: 8580-112-002 (Private Construction Details Sheet 2 of 2), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-104-002 Revision B (Impermeable Area Plan), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-104-003 Revision B (Exceedance Flow Route Plan), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-100-001 Revision B (Engineering Layout Sheet 1 of 3), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-100-002 Revision B (Engineering Layout Sheet 2 of 3), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: 8580-100-003 Revision A (Engineering Layout Sheet 3 of 3), dated September 2021 and received by the Local Planning Authority on 06/01/2022.
- Plan ref: DD GA (8ft Diameter Downstream Defender General Arrangement), dated 11/08/2019 and received by the Local Planning Authority on 06/01/2022.

Highways Plans

- Plan ref: 8580-110-001 (S38 Construction Details), dated September 2021 and received by the Local Planning Authority on 06/01/2022.

Reports

- Ref: JBA11/382 AR01 Issue A (Arboricultural Impact Assessment), dated 27/05/2021 and received by the Local Planning Authority on 26/07/2021.
- Ref: JBA 21/235 (Ecological Impact Assessment and Preliminary Ecological Appraisal), dated July 2021 and received by the Local Planning Authority on 26/07/2021.
- Ref: 79P-10 (Landscape Maintenance Plan), received by the Local Planning Authority on 26/07/2021.
- Landscape Briefing Note, received by the Local Planning Authority on 13/10/2021.
- Ref: 79P-09A (Landscape and Planting Schedule), received by the Local Planning Authority on 13/10/2021.
- Planning Statement, received by the Local Planning Authority on 26/11/2021.
- Design and Access Statement, received by the Local Planning Authority on 26/11/2021.
- Ref: 8580 V.02 (Drainage Strategy Report), dated December 2021 and received by the Local Planning Authority on 06/01/2022.
- Ref: 2790/RE/09-21/01 (Flood Risk Assessment (within Drainage Strategy Report)), dated January 2022 and received by the Local Planning Authority on 06/01/2022.
- Supporting Evidence for Appropriate Assessment, dated January 2022 and received by the Local Planning Authority on 17/01/2022.
- Correspondence from the Applicant re: PF/21/2021 (Solar Panels), received by the Local Planning Authority on 03/03/2022.

Reason:

For the avoidance of doubt and to ensure that the development is built to an appropriate quality standard of design and does not detrimentally effect the surrounding landscape or nearby heritage assets, in accordance with Policies EN 2, EN 4 and EN 8 of the adopted North Norfolk Core Strategy.

3. The materials to be used on the external surfaces of the development hereby permitted, including external and ancillary buildings and structures, shall be constructed in accordance with the details submitted in ref: 78P.29 (Materials Schedule) received by the Local Planning Authority on 23/02/2022.

Reason:

For the avoidance of doubt and to ensure that the development is built to an appropriate quality standard of design and does not detrimentally effect the surrounding landscape or nearby heritage assets, in accordance with Policies EN 2, EN 4 and EN 8 of the adopted North Norfolk Core Strategy.

Pre-Commencement

4. A) There shall be no commencement of the development hereby permitted until an archaeological written scheme of investigation has first been submitted to and approved in writing by the Local Planning Authority.

The areas to be covered by this condition shall first be agreed in writing with Norfolk County Council Historic Environment Service.

The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording;
2. The programme for post investigation assessment;
3. Provision to be made for analysis of the site investigation and recording;
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
5. Provision to be made for archive deposition of the analysis and records of the site investigation;
6. Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation; and,
7. any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.

B) No development shall take place other than in accordance with the written scheme of investigation approved under Part A of this condition and any addenda to that Written Scheme of Investigation covering subsequent phases of mitigation.

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under Part A of this condition, and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason:

In the interests of recording and preserving items of archaeological interest, in accordance with Policy EN 8 of the adopted North Norfolk Core Strategy and is pre-commencement as works involving the breaking of ground could potentially impact on archaeological deposits.

5. There shall be no commencement of the development hereby permitted until a detailed noise, dust and smoke management plan to protect the occupants of completed dwellings on the site and residential dwellings surrounding the site from noise, dust and smoke during construction, has first been submitted to, and approved in writing by the Local Planning Authority.

The scheme shall include;

- i) Communication with neighbours before and during works.

- ii) Contact arrangements by which residents can raise any concerns and, issues.
- iii) The mechanism for investigation and responding to residents' concerns and complaints
- iv) Management arrangements to be put in place to minimise noise and dust (including staff training such as toolbox talks).
- v) Hours during which noisy and potentially dusty activities will take place.
- vi) Measures to control loud radios on site.
- vii) Measures to be taken to ensure noisy activities take place away from residential premises where possible such as a separate compound for cutting and grinding activities.
- viii) Measures to control dust from excavation, wetting of soil; dust netting and loading and transportation of soil such as minimising drop heights, sheeting of vehicles.
- ix) Measures to control dust from soil stockpiles such as sheeting, making sure that stockpiles exist for the shortest possible time and locating stockpiles away from residential premises.
- x) Measures to control dust from vehicle movements such as site speed limits, cleaning of site roads and wetting of vehicle routes in dry weather.
- xi) Measures to minimise dust generating activities on windy and dry days
- xii) Measures to control smoke from burning activities.

The approved plan shall remain in place and be implemented throughout each phase of the development.

Reason:

To control the noise emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy.

6. There shall be no commencement of the development hereby permitted (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has first been submitted to and approved in writing by the Local Planning Authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when special ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason:

In accordance with the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy and paragraph 118 of the National Planning Policy Framework, and for the

undertaking of the council's statutory function under the Natural Environment and Rural Communities Act (2006).

7. There shall be no commencement of the development hereby permitted, including any works of demolition, until a Construction Method Statement has first been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) the erection and retention of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - e) wheel washing facilities to be provided at the entrance to the site;
 - f) measures to control the emission of dust and dirt during construction;
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and,
 - h) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason:

To control the noise, odour and dust emitted from the site in the interests of residential amenity and public safety in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy.

8. There shall be no commencement of the development hereby permitted until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has first been submitted to and approved in writing by the Local Planning Authority.

The scheme shall thereafter be implemented upon the formation of the construction site entrance and shall be used throughout the construction period.

Reason:

To ensure adequate off-street parking during construction in the interests of highway safety in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy. This needs to be a pre-commencement condition as it deals with the construction period of the development.

9. There shall be no commencement of the development hereby permitted until such time as detailed plans of the roads, footways, cycleways, street lighting, foul and surface water drainage have first been submitted to and approved in writing by the Local Planning Authority.

All construction works shall be carried out in accordance with the approved plans.

Reason:

This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development, in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

10. There shall be no commencement of the development hereby permitted until a scheme has first been submitted to and approved in writing by the Local Planning Authority demonstrating how the proposed development will satisfactorily meet the at least 10% sustainable construction and energy efficiency requirements of Core Strategy Policy EN 6.

The scheme as submitted shall be broadly based on the details submitted within ref: Design and Access Statement and correspondence from the Applicant, received by the Local Planning Authority on 03/03/2022 re: PF/21/2021 (Solar Panel).

The scheme shall thereafter be carried out in strict accordance with the approved details.

Reason:

In the interests of promoting sustainable development and design, and ensuring that the development is constructed in accordance with the requirements of Policy EN 6 of the adopted North Norfolk Core Strategy, National Planning Policy Framework (Section 14), and Part L of the Building Regulations 2010 (as amended).

Prior to Occupation

11. Before any dwelling is first occupied the road(s), footway(s) and cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.

Reason:

In the interests of providing acceptable on-site highways infrastructure in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

12. Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 metres x 59 metres shall be provided to each side of the access where it meets the highway.

The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway

Reason:

In the interests of highway safety in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy and Section 9 of the National Planning Policy Framework.

13. Prior to the occupation of the final dwelling all works shall be carried out on roads, footways, cycleways, foul and surface water sewers in accordance with the approved specification to the satisfaction of the Local Planning Authority.

Reason:

To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway, in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

14. The development shall be constructed in accordance with the submitted Drainage Strategy (Drainage Strategy, Barter Hill, Document Reference: 8580 – Land Northeast of Yarmouth Road, Stalham, Norfolk, Revision 02, dated December 2021). The approved scheme will be implemented prior to the first occupation of the development hereby permitted.

Reason:

To ensure that a satisfactory surface water drainage scheme is implemented on-site which does not have adverse effects in relation to flooding and water quality, both on-site and off-site, in accordance with Policies EN 10 and EN 13 of the adopted North Norfolk Core Strategy.

15. There shall be no occupation of the development hereby permitted until a scheme has first been submitted to and approved in writing by the Local Planning Authority, in consultation with Norfolk Fire Service, for the provision of 1 no. fire hydrant per 50 dwellings (or part thereof) on a minimum 90mm portable water main. Thereafter, the fire hydrants shall be provided in strict accordance with the approved details.

Reason:

In the interests of health and safety of the public and to avoid unnecessary costs to the developer, and to ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire, in accordance with Policies EN 4 and CT 2 of the adopted North Norfolk Core Strategy.

16. Prior to the first occupation of the development hereby permitted, details of the proposed means of residential, commercial, and medical waste disposal shall first be submitted to and approved in writing by the Local Planning Authority.

Waste disposal shall thereafter be undertaken in strict accordance with the approved details.

Reason:

To protect nearby residents from smell and airborne pollution in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy.

17. There shall be no occupation of the development hereby permitted until the details of Green Infrastructure Interpretation Boards and their proposed locations within the site, and details of resident green infrastructure information packs, have first been submitted to and approved in writing by the Local Planning Authority. These shall detail the local green infrastructure walking routes and Public Rights of Way, as highlighted in Section 8.1.3. of the Supporting Evidence for Appropriate Assessment, dated January 2022.

The Interpretation Boards shall thereafter be implemented and retained on-site for the lifetime of the development in full accordance with the approved plans.

Reason:

In the interests of providing satisfactory green infrastructure signposting to local provision under the Conservation of Habitats and Species Regulations 2017 (as amended).

18. There shall be no use and/or occupation of the development hereby permitted until details of a pedestrian footpath / cycle link through to the residential development (known as Broadchurch Gardens) to the north west of the site (within the blue line boundary), has first been submitted to and approved in writing by the Local Planning Authority.

The footpath shall thereafter be implemented and maintained in full accordance with the approved details.

Reason:

In the interests of providing satisfactory permeability across the site into the wider area and to not create an alcove development, in accordance with Policies SS 6 and EN 4 of the adopted North Norfolk Core Strategy.

19. The landscaping works shall be carried out in accordance with the approved details and implementation programme (Plan ref: 79P/03 Revision H (Southern Site Area Landscape Scheme), dated 04/01/2022; Plan ref: 79P/06 Revision F (Northern Site Area Landscape Scheme), dated 04/01/2022; Ref: 79P-10 (Landscape Maintenance Plan); Landscape Briefing Note; Ref: 79P-09A (Landscape and Planting Schedule) before any part of the development is first occupied in accordance with the agreed implementation programme.

Reason:

To protect and enhance the visual amenities of the area, in accordance with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

Prior to Installation

20. Prior to the installation of any plant / machinery / ventilation / air conditioning / heating / air source heat pumps / extraction equipment, including any replacements of such, full details including location, acoustic specifications, and specific measures to control noise/dust/odour from the equipment, shall first be submitted to and approved in writing by the Local Planning Authority.

The equipment shall be installed, used and maintained thereafter in full accordance with the approved details.

Reason:

To control the noise or odour emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy.

Other

21. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the development is resumed or continued.

Reason:

In the interests of the health and safety of those working on the site, public health and safety and future occupiers/users of the development in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy.

22. No external lighting shall be installed other than in accordance with the submitted lighting plans (ref: 79P.05 Revision G and ref: 79P/08 Revision E), and shall not cause light intrusion beyond the site boundaries.

Reason:

To ensure that the development minimises light pollution and reduces glare, in the

interests of minimising the potential impact on biodiversity and residential amenity in accordance with Policies EN 2, EN 4, EN 9, and EN 13 of the adopted North Norfolk Core Strategy and Sections 12 and 15 of the National Planning Policy Framework.

23. Any existing tree, shrub or hedgerow to be retained within the approved landscape scheme which dies, is removed or become seriously damaged or diseased, within a period of ten years from the date of planting, shall be replaced during the next planting season following removal with another of a similar size and species as that originally planted, and in the same place.

Reason:

To protect and enhance the visual amenities of the area, in accordance with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

24. Any tree, shrub or hedgerow forming part of an approved landscape scheme which dies, is removed or become seriously damaged or diseased, within a period of ten years from the date of planting, shall be replaced during the next planting season following removal with another of a similar size and species as that originally planted, and in the same place.

Reason:

To protect and enhance the visual amenities of the area, in accordance with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

25. No boundary treatments shall be erected, installed or constructed on site unless they include provision for a 13cm x 13cm gap at ground level at intervals of no more than 6m to facilitate commuting corridors for small mammals.

Reason:

In accordance with the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy and paragraph 118 of the National Planning Policy Framework, and for the undertaking of the council's statutory function under the Natural Environment and Rural Communities Act (2006).

26. The development hereby permitted shall be carried out in strict accordance with the mitigation and enhancement measures outlined in Section 6 of Ref: JBA 21/235 (Ecological Impact Assessment and Preliminary Ecological Appraisal), dated July 2021.

The mitigation and enhancement measures shall thereafter be retained in a suitable condition to serve their intended purposes.

Reason:

In accordance with the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy and paragraph 118 of the National Planning Policy Framework, and for the undertaking of the council's statutory function under the Natural Environment and Rural Communities Act (2006).

Note(s) to Applicant:

1. The applicant's attention is drawn to the fact that the above conditions (if any) must be complied with in full. Failure to do so may result in enforcement action being instigated.
2. This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before

a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.

3. The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks. However, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £116 or £34 where the related permission was for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse. A fee is payable for each submission made, regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.
4. In accordance with Paragraph 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative manner:-
 - Proactively offering pre-application advice (in accordance with Paragraphs 39 – 46);
 - Seeking further information following the receipt of the application;
 - Seeking amendments to the proposed development following receipt of the application;
 - Considering the imposition of conditions and/or the completion of a Section 106 Agreement (in accordance with Paragraphs 54 – 57).

In this instance:

- The applicant was updated of any issues after the initial site visit;
- Meeting with the applicant;
- Considering amended plans;
- The application was subject to the imposition of conditions and a Section 106 Agreement.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

5. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
6. Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
7. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

8. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements
9. The responsibility for the safe development and secure occupancy of the site rests with the developer. The local planning authority has determined the application on the basis of the information available to it, but this does not mean that the land is free from contamination.
10. The minimum requirements are 1 fire hydrant per 50 dwellings on a minimum 90mm potable water main. The positioning of hydrants to service any blocks of flats must meet the requirements of Building Regulations Approved Document B volume 2 sections 15 & 16 (Fire Hydrants / water supplies and Vehicle access).
11. It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained (insert for SHWP only and typically this can take between 3 and 4 months). Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich. Please contact (01603 223273). Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.
12. If required, street furniture will need to be repositioned at the Applicant's own expense.
13. This Decision Notice must be read in conjunction with a Planning Obligation completed under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended). You are advised to satisfy yourself that you have all the relevant documentation.
14. Please note that any information in relation to the discharge of planning obligation contained within the completed Section 106 Agreement in relation to this planning permission should be submitted to the Planning Department, in accordance with, or ahead of, the timeframes contained therein.

SHERINGHAM - RV/21/2885 – Variation of Condition 2 of planning ref: PF/18/1603 to enable merger of Unit 0.2 (A3/A5) and Unit 0.3 (A3) to form Unit 0.2 A3/A5 Use; amendment to Unit 1.2 (A3) to form two Units - Unit 1.2 (C3 residential) and Unit 1.3 (C3 residential) at 1 High Street, Sheringham, Norfolk

Minor Development

Target Date: 17.03.2022

Extension of Time: 25.03.2022

Case Officer: Phillip Rowson

Full Planning Permission (Section 73 - Variation of condition)

RELEVANT SITE CONSTRAINTS

- Within Sheringham Settlement Boundary as designated within the North Norfolk Core Strategy
- Within Sheringham Town Centre as designated within the North Norfolk Core Strategy
- Adjacent to Sheringham Public Realm as designated within the North Norfolk Core Strategy
- Within Sheringham Conservation Area as designated December 2012
- Within the Coastal Shelf Landscape Character Area as designated within the North Norfolk Landscape Character Assessment

RELEVANT PLANNING HISTORY

1. RV/21/2923

Variation of Condition 2 (approved plans, details, and specifications) of planning ref: PF/18/1603 to change of use from restaurant to residential on the first floor
Withdrawn 03.11.2021

2. RV/21/2886

Removal of Condition 3 (within and not more than 34 weeks from the start of demolition of the existing building a final contract for the site's redevelopment, which indicates a start date for the commencement of the development on site, together with the anticipated programme for sites redevelopment) of planning ref: PF/18/1603
Pending Consideration

3. PF/19/0737

Demolition of existing building and erection of a four-storey mixed use building. Unit 0.1: A1/A3 (Shop/Restaurant), Unit 0.2: A3/A5 (Restaurant/Hot food takeaway), Units 1.1, 1.2, 1.3, 2.1, 2.2, 2.3, 3.1 & 3.2: C3 (Residential - 8 flats)
Withdrawn 20.06.2019

4. CDA/18/1603

Discharge of conditions 4 (site hoarding), 6 (environmental management plan), 9 (site parking), 10 (construction management plan & access) 12 (Surface Water Disposal) of planning permission PF/18/1603
Condition Discharged 03.04.2020

5. PF/18/1603

Variation of Condition 2 and 3 of planning permission PF/17/0192 to allow a change of use of Unit 0.2 from A3/A1 (Restaurant/Shop) to A3/A5 (Restaurant/Hot food and Takeaway) and the demolition of existing building prior to submission of details of the construction contract
Approved 18.10.2018

6. PF/18/1491

Variation of Condition 2 of planning permission PF/17/0192 to allow a change of use of Unit 0.2 from A3/A1 (Restaurant/Shop) to A3/A5 (Restaurant/Hot food and Takeaway)

Withdrawn 18.10.2018

7. PF/17/0468

Demolition of existing hotel and erection of mixed use building comprising 10 dwellings (Use Class C3) and 4 commercial units (Use Class A1/A2/A3/ A4/A5) with associated parking and highways works

Approved 06.02.2018

8. PF/17/0192

Demolition of existing building and erection of four a storey mixed use building. Unit 0.1 : A3/A1 (Restaurant/Shop). Unit 0.2 : A3/A1 (Restaurant/Shop). Unit 0.3 : A3 (Restaurant). Unit 1.1 : C3 (Residential). Unit 1.2 : A3 (Restaurant). Unit 2.1/Unit 2.2/Unit 2.3/Unit 3.1/Unit 3.2 : C3 (Residential)

Approved 25.10.2017

THE APPLICATION

Site description:

The application site is situated within Sheringham town centre and designated Conservation Area. Located at the corner of High Street and East Cliff, the plot of land was previously occupied by a three-storey late Victorian or early Edwardian building known formerly as the Shannoeks Hotel and a small length of footpath which provides pedestrian access between the rear of the building and Gun Street and High Street. The site occupies a prominent position on Sheringham's seafront facing the Promenade and the beach. The Chequers public car park lies directly east of the application site. Demolition works of the former Shannoeks Hotel have been completed in 2021 and the site remains currently vacant.

Proposal:

This application seeks permission for the variation of condition 2 of application PF/18/1603 in order to amend the approved plans. The proposed development would comprise of a change of use of the approved first-floor restaurant (class A3) to two additional flats (class C3), bringing the total number of flats to eight (class C3). Additionally, the proposals seek the merger of units 0.2 (restaurant/hot food and takeaway) under class A3/A5 and unit 0.3 (restaurant) under class A3 into one larger unit 0.2 (restaurant/hot food and takeaway) under class A3/A5. Externally, the proposal comprises of minor material design alterations to the envelop of the building. These design alterations involve the insertion of two balconies on the first floor of the North Elevation (serving dwelling units 1.2 and 1.3) and one bedroom window and balcony on the first floor of the South Elevation (serving dwelling unit 1.3).

REASONS FOR REFERRAL TO COMMITTEE

Councillor Liz Withington: The proposed changes to the ground floor layout and design, and the inserting of a larger Hot Food Takeaway contravene Policy EN4 of the Core Strategy. The large Hot Food Takeaway would not be in keeping with other Hot Food Takeaways in the town. Most retailers and food outlets operating within the Sheringham Conservation Area do so from single sized units. The nature of Sheringham High Street with its smaller single independent units encourages and supports independent retailers. The independent nature of

Sheringham Town Centre is its greatest strength. Sheringham Town Council have also commented that the proposed changes on the first floor from restaurant to residential units are disappointing. Preference lies in the retention of the sea view restaurant with its unique selling feature, serving as a destination asset to tourists and locals alike.

CONSULTATIONS

Sheringham Town Council: Objects to the proposal.

Objects on the grounds that the proposed changes to the ground floor layout and design, and the inserting of a larger Hot Food Takeaway, which the Council determines to contravene Policy EN4 of the Local Plan. The large Hot Food Takeaway would not be in keeping with other Hot Food Takeaways in the town. Most retailers and food outlets operating within the Sheringham Conservation Area do so from single sized units. The nature of Sheringham High Street with its smaller single units encourages and supports independent retailers. A larger unit with its associated on costs may only be viable when operated by a retail chain. Furthermore, the proposed changes on the first floor from a restaurant to residential units are disappointing. The Council would prefer the retention of the sea view restaurant with its unique selling feature, serving as a destination asset to tourists and locals alike.

County Council Highways (Cromer): No Objection

Given this proposal does not affect the current traffic patterns or the free flow of traffic, Norfolk County Council does not wish to resist grant of consent.

Conservation and Design Officer: No Objection

No sustainable objections to this application as the proposed internal alterations and the revised mix of uses would not materially affect the overall significance of the Sheringham Conservation Area, and the risk of the site laying undeveloped for a prolonged period is obviated by the parallel Compulsory Purchase Order (CPO) process.

Environmental Health: No objection

REPRESENTATIONS:

Public consultation of the application took place for a period of 21 days between 12.11.2021 to 03.12.2021. To date, no representations have been received.

HUMAN RIGHTS IMPLICATIONS

Art. 8: The right to respect for private and family life.

Art. 1 of the First Protocol: The right to peaceful enjoyment of possessions

Having considered the above matters, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

STANDING DUTIES

Due regard has been given to the following duties:

Equality Act 2010

Crime and Disorder Act, 1998 (S17)

Natural Environment & Rural Communities Act 2006 (S40)
The Conservation of Habitats and Species Regulations 2010 (R9)
Planning Act 2008 (S183)
Human Rights Act 1998
Rights into UK Law – Art. 8 – Right to Respect for Private and Family Life
Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

RELEVANT POLICIES

North Norfolk Core Strategy (September 2008):

Policy SS 1: Spatial Strategy for North Norfolk
Policy SS 3: Housing
Policy SS 4: Environment
Policy SS 5: Economy
Policy SS 6: Access and Infrastructure
Policy SS 12: Sheringham
Policy HO 1: Dwelling Mix and Type
Policy HO 2: Provision of Affordable Housing
Policy HO 7: Making the Most Efficient Use of Land (Housing Density)
Policy EN 2: Protection and Enhancement of Landscape and Settlement Character
Policy EN 4: Design
Policy EN 6: Sustainable Construction and Energy Efficiency
Policy EN 8: Protecting and Enhancing the Historic Environment
Policy EN 10: Development and Flood Risk
Policy EN 13: Pollution and Hazard Prevention and Minimisation
Policy EC 5: Location of Retail and Commercial Leisure Development
Policy CT 2: Developer Contributions
Policy CT 5: The Transport Impact of New Development
Policy CT 6: Parking Provision

Material Considerations:

Supplementary Planning Documents and Guidance:

North Norfolk Design Guide (December 2008)
North Norfolk Landscape Character Assessment (January 2021)
North Norfolk Landscape Sensitivity Assessment (January 2021)
Retail and Main Town Centre Uses Study (March 2017)

National Planning Policy Framework (July 2021)

Chapter 2: Achieving sustainable development
Chapter 4: Decision-making
Chapter 5: Delivering a sufficient supply of homes
Chapter 6: Building a strong, competitive economy
Chapter 7: Ensuring the vitality of town centres
Chapter 8: Promoting healthy and safe communities
Chapter 9: Promoting sustainable transport
Chapter 11: Making effective use of land
Chapter 12: Achieving well-designed places
Chapter 14: Meeting the challenge of climate change, flooding and coastal change
Chapter 15: Conserving and enhancing the natural environment
Chapter 16: Conserving and enhancing the historic environment

OFFICER ASSESSMENT

Main Issues:

- 1. Principle**
- 2. Dwelling Mix and Type**
- 3. Provision of Affordable Housing**
- 4. Landscape and Settlement Character**
- 5. Design**
- 6. Residential Amenity**
- 7. Historic Environment**
- 8. Pollution and Hazard Prevention and Minimisation**
- 9. Location of Retail and Commercial Leisure Development**
- 10. Highways:**
- 11. Other material planning considerations**
- 12. Conclusion**

1. Principle: Policies SS 1, SS 5, and SS 12

The site lies in Sheringham, which is defined as a Secondary Settlement and small-town centre under Policies SS 1 and SS 5 of the Core Strategy. Policy SS 1 sets out that a more limited amount of additional development will be accommodated in areas defined as Secondary Settlements where a broad range of shopping, commercial, cultural, and other uses will be supported in small town centres under Policy SS 5. Furthermore, residential proposals will be permitted where they do not result in the loss of shops or other main town centre uses located within a defined Primary Shopping Area. A retail hierarchy guides decisions on the scale of new retail and leisure development that will be permitted in small town centres, limiting proposals for large scale developments to those that meet a local need and support the role of the small-town centre as a visitor and tourist destination.

Paragraph 81 of the National Planning Policy Framework (the Framework) requires that planning decisions should help create the conditions in which business can invest, expand, and adapt. Significant weight should be placed on the need to support economic growth and productivity, considering both local business needs and wider opportunities for development. Paragraph 86(f) of the Framework sets out that decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management, and adaptation. As a result, planning policies should recognise that residential development often plays a significant role in ensuring the vitality of centres and encourage residential development on appropriate sites.

Planning permissions PF/17/0192 and PF/18/1603 granted on 25 October 2017 and 18 October 2018 respectively, allowed the erection of six flats (Class C3 Units) distributed across three floors and shops, restaurants, and hot food takeaway (Class A1/A3/A5 Units) spread across three units on the ground floor and one unit on the first floor. The current application RV/21/2885 proposes the variation of condition 2 (approved plans) of planning permission PF/18/1603 for the change of use of the first-floor restaurant (Class A3 Unit) to two additional flats (Class C3 Units), bringing the total number of flats to eight (Class C3 Units) and the merger of the approved Units 0.2 (Restaurant/Hot Food and Takeaway) under Class A3/A5 and 0.3 (Restaurant) under Class A3 into one larger Unit 0.2 (Restaurant/Hot Food and Takeaway) under Class A3/A5.

In the North Norfolk Retail and Main Town Centres Uses Study (March 2017) prepared by Lichfield's it is argued that the provision of Class A3/A5 is particularly strong in Sheringham, reflecting the role of the centre as a tourist destination. Given the competing pressures for

retail and non-retail uses and the low vacancy rates, a balance between Class A1 and Class A3 to A5 uses needs to be maintained to ensure centres continue to fulfil their current roles.

The scheme brought forward with this application in the form of a mix use development comprising of flats, shops, restaurants, and takeaway uses within Sheringham Secondary Settlement, is supported by Policy SS 1. Furthermore, given the proposal is located outside the Primary Shopping Area of Sheringham, the loss of the first-floor restaurant to a residential use is not prohibited by policy and would help support the ongoing vitality of the town centre in line with the requirements of Policy SS 5 and paragraph 81 of the Framework. Furthermore, by virtue that the proposal provides for a range of small shop uses from Class A1, A3, and A5, which are considered to meet a local need in supporting the role of the Sheringham town centre as a tourist destination, the proposal complies with the requirements of Policy SS 12. For the reasons given above, the scheme is acceptable under Policies SS 1, SS 5, SS 12, paragraphs 81 and 86(f) of the Framework, and therefore is acceptable in principle.

The principle of development was established under previous planning permission PF/17/0192 granted on 25 October 2017. Subsequently, application PF/18/1603 for the variation of conditions 2 and 3 of planning permission PF/17/0192 was granted planning permission in 18 October 2018, which remains extant to the present day and can be implemented if required.

2. Dwelling Mix and Type: Policy HO 1

Policy HO 1 seeks that on schemes of five or more dwellings, at least 40% of the total number of dwellings shall comprise of not more than 70sqm of internal floor space and incorporate two bedrooms or fewer; and on schemes of five or more dwellings, at least 20% of dwellings shall be suitable or easily adaptable for occupation by the elderly, infirm or disabled.

The scheme comprises of eight flats distributed across three floors. Three of those flats have two bedrooms and 75sqm of internal floor space. The remaining five flats, four of those comprise of one bedroom and have 52sqm of internal floor space, and the remaining flat comprises of two bedrooms and an internal floor space of 65sqm. The flats are wheelchair accessible from ground floor level and the communal areas provide for unobstructed wheelchair turning spaces and disabled refuses. As a result, it has been concluded that 62.5% of dwellings comply with criteria 1 and 100% of the dwellings comply with criteria 2 of Policy HO 1.

For the reasons stated above, it is considered the proposal complies with the requirements set out in Policy HO 1.

3. Provision of Affordable Housing: Policy HO 2

Policy HO 2 highlights that planning permission for the erection of new dwellings will be permitted provided that, where it is viable to do so, not less than 45% of the total number of dwellings proposed are affordable on all schemes of 10 or more dwellings in Secondary Settlements.

Paragraph 64 of the Framework sets out that provision of affordable housing should not be sought for residential developments that are not major developments.

Given that the proposal comprises of eight dwellings within a Secondary Settlement, and it is not considered a major development, it falls below the threshold set out under Policy HO 2

and the requirements of paragraph 64 of the Framework. On that basis, the provision of affordable housing is not required.

4. Landscape and Settlement Character: Policy EN 2

Policy EN 2 sets out that proposals should be informed by, and be sympathetic to, the distinctive character areas identified in the North Norfolk Landscape Character Assessment (January 2021). Development proposals should demonstrate that their location, scale, design, and materials would protect, conserve, and, where possible, enhance the special qualities and local distinctiveness of the area, the distinctive settlement character and seascape and the setting of, and views from Conservation Areas.

The site lies within the Coastal Shelf Landscape Character Area as designated within the North Norfolk Landscape Character Assessment (January 2021) (LCA). This landscape is characterised by a coastal strip of land, around 12 miles in length yet only 1 mile deep, which incorporates some of the district's principal settlements, sandwiched between the Cromer Ridge and the sea. Settlement is nestled within pockets of arable farmland and woodland, some of which are markedly rural and unspoilt. The presence of the historic holiday towns of Sheringham and Cromer, combined with the sandy beaches and frequent cliffs along the coast, creates a strong focus for tourism. The Landscape strategy and guidelines for the Coastal Shelf Landscape Character Area advises that the character of settlements should be conserved and enhanced by ensuring that new development responds to historic built form and the traditional vernacular style and materials.

The proposals scale, design, and materials have been previously approved under applications PF/17/0192 and PF/18/1603. The current revised scheme under consideration through application RV/21/2885 comprises of minor external design alterations to the South and North Elevations of the building to accommodate three balconies and one window. On the basis that the principle of the scale, design, and materials have been approved under previous applications and the current scheme only seeks minor external design alterations, Officers consider the proposal would not give rise to significant landscape concerns. As such, it complies with Policy EN 2.

5. Design: Policy EN 4

Policy EN 4 requires that all development should be designed to a high quality, reinforcing local distinctiveness, be expected to be suitably designed for the context within which they are set, and ensure that the scale and massing of buildings relate sympathetically to the surrounding area. Moreover, paragraph 130 of the Framework sets out that developments should be sympathetic to local character and history, including the surrounding built environment, while not preventing or discouraging appropriate innovation or change and optimise the potential of the site to accommodate and sustain an appropriate amount of mix development.

The design alterations involve the insertion of two balconies on the first floor of the North Elevation (serving dwelling units 1.2 and 1.3) and one bedroom window and balcony on the first floor of the South Elevation (serving dwelling unit 1.3).

Objections have been raised by Sheringham Town Council on the grounds that the proposed changes to the ground floor layout and design, and the potential insertion of a larger Hot Food Takeaway would contravene Policy EN 4. Furthermore, it has been argued that a large Hot Food Takeaway would not be in keeping with other Hot Food Takeaways in the town. Most retailers and food outlets operating within the Sheringham Conservation Area do so from

single sized units. The nature of Sheringham High Street with its smaller units encourages and supports independent retailers. A larger unit with its associated cost may only be viable when operated by a retail chain. Finally, Sheringham Town Council commented that the proposed changes on the first floor from restaurant to residential units are disappointing. Preference lies in the retention of the sea view restaurant with its unique selling feature, serving as a destination asset to tourists and locals alike.

Whilst the proposed ground floor layout could accommodate a larger retail unit of Hot Food Takeaway comprising of 110sq.m, its size is not dissimilar to numerous examples of other retail units along the High Street. There is also no guarantee that the unit would be occupied by a fast food retailer, as the application seeks both an A3 (restaurant) and A5 (takeaway) use. Paragraph 130 of the Framework states that developments should not prevent or discourage change and sustain an appropriate amount of mix development. Furthermore, Policy EN 4 expects that proposals contain a variety and mix of uses. The proposal provides a different offer in terms of layout and use in relation to those approved under planning permissions PF/17/0192 and PF/18/1603. However, given that the West and North Elevations of the proposed ground floor appear compartmentalised into single units, and there is no change in the exterior design of the proposal on the ground floor from that previous approved under applications PF/17/0192 and PF/18/1603, it is considered that refusing this current scheme on size, layout, and design alone could not be substantiated.

Officers appreciate Sheringham Town Council's disappointment in relation to the change of use of the first-floor restaurant (A3 Unit) to two flats (C3 Units). However, the Government's Planning Practice Guidance sets out that residential development can play a significant role in ensuring the vitality of town centres, giving communities easier access to a range of services. Furthermore, under Class MA of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) (former Class A3) to a use falling within Class C3 (dwellinghouses) is permitted development. Consequently, this element of the proposals would not justify refusal.

For the reasons stated above, Officers considered the proposal would not give rise to significant design concerns. Therefore, it complies with Policy EN 4 and paragraph 130 of the Framework.

6. Residential Amenity: Policy EN 4

Policy EN 4 requires that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers and new dwellings should provide acceptable residential amenity. Furthermore, paragraph 3.3.10 of the Design Guide sets out that the position of dwellings, and the arrangement of their rooms and windows, should not create significant overlooking of other dwelling windows or private garden areas, nor should they lead to any overbearing impacts upon existing dwellings. As such, regards should be given to recommended distances in the case of conventional single and two-storey dwellings (assuming a level site situation) to ensure a degree of privacy between adjacent properties.

The proposal involves the replacement of the first-floor South Elevation blank wall with one balcony serving bedroom 1 and one window serving bedroom 2. The separation distance between the window and balcony and the rear of the cottages along Gun Street is 22m. The Design Guide sets out that the recommended distances to ensure a degree of privacy between adjacent properties is 15m and in the case of larger buildings such as blocks of flats, these distances should be increased by 3m for each additional storey. In this instance, the proposed alterations occur at first floor level and as such, the recommended distances are set out to be

18m. As a result, it is considered the scheme exceeds the recommended distances in the Design Guide by approximately 4m.

Moreover, the proposal seeks to replace the restaurant located at first floor level approved under planning permissions PF/17/0192 and PF/18/1603 with two flats. The one-bedroom flat facing High Street lies 8m opposite The Two Lifeboats Hotel. Whilst the proposal falls 10m short of the residential amenity criteria requirement, there will be a dramatic decrease in footfall of such space, as it will have a private use in contrast with that of the restaurant approved under previous planning permissions. On balance, it is considered that the revised scheme complies with the requirements of Policy EN 4 of the Core Strategy and the criteria set out in paragraph 3.3.10 of the Design Guide.

7. Historic Environment: Policy EN 8

Policy EN 8 requires that proposals should preserve or enhance the character and appearance of designated assets and their settings through high quality, sensitive design. Development that would have an adverse impact on their special historic or architectural interest will not be permitted. Paragraph 206 of the Framework sets out that local planning authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

The site is situated in the northern boundary of Sheringham Conservation Area, which is an area of special architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance as defined by the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal comprises of minor material design alterations to the external envelop of the building, in relation to previously approved scheme's under planning permissions PF/17/0192 and PF/18/1603. These design alterations involve the insertion of two balconies on the first floor of the North Elevation (serving units 1.2 and 1.3) and one bedroom window and balcony on the first floor of the South Elevation (serving unit 1.3).

The Conservation and Design Officer is of the opinion that no sustainable objection can be raised due to the fact the proposed internal alterations and the revised mix of uses would not materially affect the overall significance of the Sheringham Conservation Area, and the risk of the site laying undeveloped for a prolonged period is obviated by the parallel Compulsory Purchase Order (CPO) process.

Based on the evidence provided above, Officers consider that the proposal would preserve the character and appearance of the designated heritage asset and therefore would not have an adverse impact on its special historic or architectural interest. As a result, the scheme complies with Policy EN 8 and paragraph 206 of the Framework.

8. Pollution and Hazard Prevention and Minimisation: Policy EN 13

Policy EN 13 sets out the requirements for all development to minimise, and where possible reduce all emissions and other forms of pollution, including light and noise pollution. Proposals will only be permitted where, individually, or cumulatively there are no unacceptable impacts on the natural environment and general amenity, health, and safety of the public and air quality. Paragraph 185 of the Framework requires that local planning authorities ensure that new development is appropriate for its location considering the effects (including cumulative effects) of pollution on health, living conditions, and the natural environment.

The Environmental Protection Officer has considered the information submitted with the application and has no concerns. On that basis, Officers consider that the proposal complies with the requirements of Policy EN 13 and paragraph 185 of the Framework.

9. Location of Retail and Commercial Leisure Development: Policy EC 5

Policy EC 5 states that new retail proposals in Secondary Settlements will be permitted, provided that the net sale area of the retail unit is less than 500sqm and is within the development boundary on the best sequentially available site, this being the town centre. This policy approach is concerned with ensuring that significant proposals for retail developments on unallocated site are focused on North Norfolk's eight town centres, thereby helping to maintain and enhance the vitality and viability of the town centres and minimise the need to travel. Paragraph 86 of the Framework seeks that policies and decisions should promote the long-term vitality and viability of town centres by allowing them to grow and diversify in a way that can respond to rapid changes in the retail industries and allow a suitable mix of uses (including housing) and reflects their distinctive characters.

The proposed loss of the first-floor restaurant and the merger of the ground floor units would result in the reduction of retail net sale areas from approximately 284sq.m to 154sq.m. Under section 5 of the application form the applicant has argued that the change of use from a restaurant to residential use on the first floor will enhance the development profitability and reduce the development's risk profile particularly considering the Covid-19 pandemic and the ongoing risk to hospitality businesses.

There would be a loss of 130sq.m in net sales area from that previously approved due to the proposed change of use of the first-floor restaurant to two additional flats. The 284sq.m currently proposed of net sales area would remain below the 500sq.m threshold set out under Policy EC 5 and it is also recognised that retail development have previously been approved at this site, including that which remains extant. On that basis, the scheme is considered compliant with the requirements of Policy EC 5 and therefore promotes the long-term vitality and viability of Sheringham town centre in accordance with paragraph 86 of the Framework.

10. Highways: Policies CT 5, and CT 6

Policy CT 5 sets out that proposals should provide for safe and convenient access on foot, cycle, public, and private transport addressing the needs of all without detriment to the amenity or character of the surrounding area or highway safety. Policy CT 6 requires that adequate vehicle/cycle parking should be made in accordance with the Council's parking standards. In exceptional circumstances, the application of these standards may be varied if reduced provision would enhance the character of Conservation Areas in town centres. Paragraph 105 of the Framework requires that significant development should be focused on location, which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes to reduce congestion and emissions and improve air quality and public health.

Planning permissions PF/17/0192 and PF/18/1603 for the development of the mix used building were granted with no car/cycling parking spaces on the basis that according to paragraph C.2 of Appendix C: Parking Standards of North Norfolk Core Strategy in town centres where there is sufficient local services and access to acceptable level of public transport, a reduction in the standard parking requirements for residential uses may be considered. Furthermore, a reduced provision may also be appropriate in Conservation Areas if this would result in an improved building design, which better enhances the character of the built environment.

The Highway Officer has been consulted and is of the opinion that given the proposal does not affect the current traffic patterns or the free floor of traffic, Norfolk County Council does not wish to resist the grant of consent.

Given the site is situated within the Sheringham Town Centre and Conservation Area access to local services and public transport by way of main line rail link to Norwich and regular bus services are provided, it is considered that the provision of car/cycling parking within the site it is not proportionate or reasonable as there is only a minor residual increase in the number of flats from six to eight (Class C3 Units) and alterations of previous units to a larger Unit 0.2 (Restaurant/Hot Food and Takeaway) under Class A3/A5. For the reasons given above, Officers consider the proposal acceptable under Policies CT 5 and CT 6 and paragraph 105 of the Framework.

11. Other material planning considerations

Compulsory Purchase Order

North Norfolk District Council made a Compulsory Purchase Order (CPO) under Section 226(1) (a) of the Town and Country Planning Act 1990 and the Acquisition of Land Act 1981 on 15 January 2020. The purpose of the Order was to facilitate the carrying out of development, redevelopment, or improvement to contribute to the promotion or improvement of economic, social, and environmental well-being of the acquiring authority's area. It is in the North Norfolk District Council interest that the site is developed to avoid a detrimental impact on the character and appearance of the conservation area and visual amenities of the neighbourhood. For that reason, the Council and the Owner entered into a Compulsory Purchase Agreement (CPA) to not compulsorily purchase the Owner's freehold interest in the Property provided the Development is delivered in accordance with the timescales set out below:

- Construction of the Development commences on or before 1 June 2022; and
- Practical Completion of the Development takes place on or before 1 June 2023

For the reasons given above, compliance with the above dates is subject to the Council's interests to secure a viable future for the development of the site and avoid a situation whereby the site is left vacant and unkept for a prolonged period further eroding the character and appearance of Sheringham Conservation Area and visual amenities of the neighbourhood.

Section 73 procedural matters

Government Planning Practice Guidance (PPG) sets out that an application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied. Paragraph 014 Reference ID: 17a-014-20140306 of the PPG states that Section 73 cannot be used to change the description of the development.

The current application may be considered to change the description of development set out within the description of development for the original permission PF/17/0192. Case law, including *Finney v Welsh Ministers* [2019] EWCA Civ 1868 and the guidance referred to above, may suggest that such changes may require a full new planning application to be submitted.

In this instance the expedience of determining the current submission is considered to be in the wider public interest and this approach has been supported by the Assistant Director of Planning.

This application is made under Section 73 of the Town and Country Planning Act 1990 to vary a condition imposed upon a decision already granted planning permission by the Local Planning Authority (LPA). Section 73 of the Act instructs the LPA to consider the variation to, or relief of conditions that are applied for, stating that “if they [the LPA] decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, they shall grant permission accordingly” (s.73(1)(a)). As such, the LPA can grant permission unconditionally or subject to different conditions, or alternatively refuse the application if it is deemed that the original condition(s) should remain in place.

The variation to the planning permission would not revoke the development; however, the grant of a planning permission under Section 73 essentially provides a new planning permission. It is therefore necessary to reconsider the overall development proposal against the development plan.

Since the grant of planning permission on 18 October 2018 in respect of application PF/18/1603, there has been a change in national planning policy as contained within the Framework. The changes made to the policies however do not significantly differ from those contained within the previous versions of the Framework with regard to the matters relevant in this case. The above assessment has had regard to the latest version of the Framework, which was published in July 2021. The assessment has also had regard to the Development Plan and all relevant guidance, some of which has been updated since the consideration of application PF/18/1603.

12. Conclusion

The development is considered to be in accordance with the requirements of the Development Plan. There are no material considerations that indicate the application should be determined otherwise.

RECOMMENDATION :

It is recommended that the application be APPROVED subject to the conditions listed below and any others considered necessary by the Assistance Director of Planning:

1. The development hereby permitted shall be carried out in accordance with the approved plans and documents, approved under planning permission PF/17/0192 dated 25 October 2017:
 - Drawing no. 1372.04, Existing Plans, dated 6 February 2017;
 - Drawing no. 1372.05, Existing Elevations, dated 6 February 2017;
 - Drawing no. 1372.12, Rev L, Revised Proposed Floor Plans, received 8 August 2017;
 - Drawing no. 1372.15, Rev J, Revised Proposed North and West Elevations, received 8 August 2017;
 - Drawing no. 1372.16, Rev F, Revised Proposed South and East Elevations, received 8 August 2017

And as amended by the approved plans and documents, approved under planning permission PF/18/1603 dated 18 October 2018:

- Drawing no. 1372.02
- Drawing no. 1372.12, Rev M

And as amended by the approved plans and documents, except as may be required by specific condition(s) and as listed below:

- Drawing no. 1372.12, Rev N, Proposed Floor Plans, dated 27 October 2021;
- Drawing no. 1372.15, Rev K, Proposed North and West Elevations in Context, dated 22 February 2022;
- Drawing no. 1372.16, Rev H, Proposed South and East Elevations in Context, received on 22 February 2022

Reason:

To ensure the development is carried out in accordance with the expressed intentions of the applicant and to ensure the satisfactory development of the site, in accordance with Policies SS 1, SS 13, EN 4 and EN 8 of the adopted North Norfolk Core Strategy.

2. The details of the site hoardings (inclusive of height, design, and colour) have been submitted to and approved by the Local Planning Authority through discharge of condition application CDA/18/1603, dated 3 April 2020. Notwithstanding the above, the hoardings shall be retained in situ to the satisfaction of the Local Planning Authority until such time that the re-development of the site is progressed.

Reason:

To avoid a detrimental impact on the character and appearance of the conservation area and visual amenity of the neighbourhood, in accordance with Policies EN 8 and EN 4 of the adopted North Norfolk Core Strategy.

3. There shall be no works of demolition or construction, machinery operation, nor materials delivery or disposal, pursuant to the development hereby permitted, outside the hours of 0700 and 1800 on Mondays to Fridays, or between 0800 and 1300 on Saturdays, or at any time on any Sunday, Public or Bank Holiday.

Reason:

To protect the amenity of neighbouring residents in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy.

4. An Environmental Management Plan with details of the materials and waste storage, and dust and noise suppression techniques has been submitted to and approved by the Local Planning Authority through discharge of condition application CDA/18/1603, dated 3 April 2020. Notwithstanding the above, for the duration of all phases of the construction, all traffic and activities associated with the development shall comply with the approved Environmental Management Plan.

Reason:

To ensure the provision of adequate off street parking during the redevelopment period and to prevent extraneous material being deposited on the highway in the interests of highways safety, and to protect local residential amenity, in accordance with Policies CT 5 and EN 4 of the adopted North Norfolk Core Strategy.

5. There shall be no commencement of construction works beyond foundation levels within the development hereby permitted until the following details have first been submitted to and approved in writing by the Local Planning Authority:

- (a) samples of all proposed external brickwork;
- (b) samples of all proposed external roofing materials;
- (c) samples of all proposed external cladding, including finished texture and colour;
- (d) details of eaves, verges, soffits and rainwater goods;
- (e) details (to a 1:20 scale) of window designs and specifications, including appearance, materials, colour, joinery, depth of reveals;
- (f) details (to a 1:20 scale) of door designs and specifications, including colour, appearance and materials; and,
- (g) details (to a 1:20 scale) of balcony designs and specifications, including colour, appearance, and materials;

The development shall then be constructed in full accordance with the approved details.

Reason:

In order for the Local Planning Authority to be satisfied that the materials to be used will be visually appropriate for the approved development and its surroundings, and to protect and enhance the character of the conservation area, in accordance with Policies EN 4 and EN 8 of the adopted North Norfolk Core Strategy and Chapter 10 of the North Norfolk Design Guide.

6. There shall be no use or occupation of the development hereby permitted until the refuse storage areas have first been provided and made available for use in accordance with the capacity and locations shown on approved plan 1372.12 Rev N, and shall be retained as such thereafter.

Reason:

To ensure appropriate refuse collection and sustainable travel arrangements and to provide an appropriate standard of amenity for future residents in accordance with Policies EN 4 and CT 6 of the adopted North Norfolk Core Strategy.

7. A scheme detailing provision for onsite parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority through discharge of condition application CDA/18/1603, dated 3 April 2020. Notwithstanding the above, the scheme shall be implemented throughout the construction period.

Reason:

To ensure adequate off street parking during construction in the interests of highway safety, in accordance with Policy CT 6 of the adopted North Norfolk Core Strategy.

8. A Construction Traffic Management Plan and Access Route which incorporate adequate provision for addressing any abnormal wear and tear to the highway together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic has been submitted to and approved in writing by the Local Planning Authority in consultation with Norfolk County Council Highway Authority through discharge of condition application CDA/18/1603, dated 3 April 2020.

Reason:

In the interests of maintaining highway efficiency and safety, in accordance with

Policy CT 5 of the adopted North Norfolk Core Strategy, in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

9. For the duration of the construction period all traffic associated with the construction of the development shall comply with the Construction Traffic Management Plan and use only the Construction Traffic Access Route and no other local roads unless approved in writing by the Local Planning Authority in consultation with the Highway Authority.

Reason:

In the interests of maintaining highway efficiency and safety, in accordance with Policy CT 5 of the adopted North Norfolk Core Strategy.

10. The development shall be carried out in full accordance with the details of proposed surface water disposal from the building submitted to and approved in writing by the Local Planning Authority through discharge of condition application CDA/18/1603, dated 3 April 2020.

Reason:

To ensure that satisfactory drainage is provided for the development in accordance with Policy EN10 of the adopted North Norfolk Core Strategy.

11. Prior to the first of use of any of the commercial premises hereby permitted for a use falling within Use Class A3 and A5, a scheme for a kitchen extractor system shall be submitted to and approved in writing by the Local Planning Authority. The scheme submitted shall include measures to control noise and odour from the extractor system. The scheme as approved shall be installed prior to the first use of the A3 and A5 premises to which the approval relates and shall be maintained thereafter.

Reason:

To control the noise dust or odour emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy as amplified by paragraphs 3.3.66-3.3.72 of the explanatory text.

12. Prior to the first use of any of the premises hereby permitted, full details of any ventilation, air conditioning, refrigeration or mechanical extractor systems or any other plant and equipment to be installed as part of the approved development, shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall specify measures to control noise/dust/odour from the equipment. The use of the premises hereby permitted shall not be commenced until such time as the equipment has been installed in full accordance with the approved details (unless otherwise agreed in writing by the Local Planning Authority). The equipment shall be maintained in accordance with the approved details thereafter.

Reason:

To control the noise, dust or odour emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy as amplified by paragraphs 3.3.66-3.3.72 of the explanatory text.

13. No extractor or ventilation system shall be installed at the premises subject to this planning permission, unless a scheme for noise and odour control has first been submitted to and approved in writing by the Local Planning Authority. The system shall be installed and thereafter maintained in full accordance with the approved details.

Reason:

To control the noise, dust or odour emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy as amplified by paragraphs 3.3.66-3.3.72 of the explanatory text.

14. Prior to the installation of any external lighting, details shall first be submitted to and approved in writing by the Local Planning Authority. The designs of any external lighting shall be proposed to a bat-friendly specification, and shall thereafter be installed in accordance with the approved details.

Reason:

In the interests of protecting the visual amenity and character of the conservation area, to protect the residential amenity of neighbours, and to minimise the impacts on existing and enhanced foraging and roosting habitats for bats, and to avoid light pollution in accordance with Policies EN 4, EN 8, EN 9 and EN 13 of the adopted North Norfolk Core Strategy, as amplified by paragraph 3.3.70 of the explanatory text.

15. No deliveries shall be taken at or despatched from the site outside the following times, 7.00 hours to 19.00 hours on any day.

Reason:

To control the noise emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy as amplified by paragraphs 3.3.66-3.3.72 of the explanatory text.

16. The commercial premises hereby permitted and those permitted as part of planning permissions PF/17/0192 and PF/18/1603 shall not be open to customers/public outside the following times, 07.00 hours to 23.00 hours on any day.

Reason:

To control the noise emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy as amplified by paragraphs 3.3.66-3.3.72 of the explanatory text and to protect the character of the countryside in accordance with Policy SS 2 of the adopted North Norfolk Core Strategy.

NOTES AND INFORMATIVES TO APPLICANT

1. The Local Planning Authority considers that it has worked positively and proactively with the applicant to address any arising issues in relation to determining this planning application, to secure a policy compliant proposal that has been determined in the wider public interest at the earliest reasonable opportunity, in accordance with the requirements of the National Planning Policy Framework (paragraph 38).
2. This proposal involves excavations adjacent to the public highway. It is an offence to carry out any works that may affect the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Please contact Norfolk County Council on telephone (01263) 516145.
3. The applicant's/developers attention is drawn to the advice provided by Anglian Water that an application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Anglian Water also recommends the installation of properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Act 1991.

4. The applicant/developer is advised that any external extract/ventilation proposed in conjunction with the permitted development/change of use, may require separate planning permission. For further advice please contact the District Council's Planning Division (telephone: 01263 516150).
5. The applicant is advised that any proposals for signs or advertisements on the building subject to this planning permission may require separate consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Advice on this matter can be sought by writing to the District Council's Planning Division giving details of the proposed signs or by telephoning (01263) 516150.

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Ridlington – LA/21/0794 - External works associated with erection of brick & flint boundary wall between the Old Rectory and Stacy Barn, Heath Road, Ridlington for Mr. Black

Target Date – 24th March 2022

Case Officer: Joseph Barrow

Application for Listed Building Consent

RELEVANT SITE CONSTRAINTS:

- Civil Parish: Witton
- District Ward: Bacton
- Countryside

RELEVANT PLANNING HISTORY:

PF/16/0600: Change of use of barn to single dwelling with associated alterations and extensions - approved

LA/16/0529: Conversion of barn to dwelling with associated alterations and extension - approved

THE APPLICATION:

Listed Building Consent is sought for the erection of a brick and flint wall, with gate, between the annexe to The Old Rectory and Stacy Barn.

There is an associated application for planning permission (PF/21/0793) which will also be considered at this meeting.

REASON FOR REFERRAL TO COMMITTEE:

At the request of Cllr. Lucy Shires. It is considered that the proposal would not create harm to the heritage asset to warrant refusal and considers the proposal complies with Policies EN4 and EN8 of the adopted North Norfolk Core Strategy.

PARISH/TOWN COUNCIL

Witton and Ridlington Parish Council: Two responses of support submitted

CONSULTATIONS:

Conservation and Design Officer: Objection - considers the proposed wall would constitute a strong visual and physical barrier which would block the historic route and which would drive a wedge between the main house and its former ancillary outbuilding.

REPRESENTATIONS:

None received.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to

Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, refusal of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

POLICIES:

North Norfolk Core Strategy (Adopted September 2008):

EN8 – Protecting and Enhancing the Historic Environment

National Planning Policy Framework (NPPF) (2021):

Section 16 – Conserving and Enhancing the Historic Environment

North Norfolk Design Guide - Supplementary Planning Document (2008)

MAIN ISSUES FOR CONSIDERATION

- 1. The effect of the proposed works on the significance of the designated heritage asset.**

APPRAISAL:

- 1. The effect of the proposed works on the significance of the designated heritage asset.**

This application proposes the erection of a wall and gate between two residential outbuildings in the grounds of The Old Rectory, a grade II listed building. The wall now proposed would be between the annexe for The Old Rectory and Stacy Barn.

When considering proposals or works affecting listed buildings, Section 66(1) of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning

authority....shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses’.

This obligation, found in Sections 66(1) applies to all decisions concerning listed buildings. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged.

When making decisions, it should be remembered that Parliament’s intention was that ‘decision makers should give “considerable importance and weight” to the desirability of preserving the setting of listed buildings’ when carrying out the balancing exercise’.

Stacy Barn was converted to a dwelling under planning permission PF/16/0600 and listed building consent LA/16/0529. A condition of this planning permission was the removal of permitted development rights for walls/gates/fences etc., so as to enable the Council to have control over any future development of this nature, and ensure the visual relationship is retained.

The wall now proposed would be a flint and brick construction, with swan neck detailing at either end, where it connects to the adjacent dwellings. A central gate is proposed allowing pedestrian access.

It is considered that on the basis of the specialist advice from the Conservation and Design Officer, that the erection of this wall would create a harmful visual divide between the heritage asset and its former ancillary outbuilding, blocking an historic route.

Whilst the level of harm to the heritage assets is considered to be ‘less than substantial’ in accordance with paragraph 202 of the NPPF, this harm has to be weighed against any public benefits accruing from the proposed development.

In this case, there are no identified public benefits. The proposal is therefore contrary to policy EN 8 of the North Norfolk Core Strategy and paragraph 202 of the NPPF.

RECOMMENDATION:

REFUSAL for the following reason:

In the opinion of the Local Planning Authority the proposed wall would create a physical barrier between the listed building and the historic ancillary outbuilding, and interrupt a historic route between the two buildings. This strong visual and physical barrier would be harmful to the setting and historic significance of the listed building.

Whilst this harm to the designated heritage asset would be less than substantial, there are no public benefits identified that would outweigh the harm identified. The proposal is therefore contrary to Policy EN 8 of the adopted North Norfolk Core Strategy, paragraph 202 of the National Planning Policy Framework 2021 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Final wording of the reasons to be delegated to the Assistant Director – Planning.

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Ridlington – PF/21/0793 - External works associated with erection of brick & flint boundary wall between the Old Rectory and Stacy Barn, Heath Road, Ridlington for Mr. Black

Target Date – 24th March 2022

Case Officer: Joseph Barrow

Application for planning permission

RELEVANT SITE CONSTRAINTS:

- Civil Parish: Witton
- District Ward: Bacton
- Countryside

RELEVANT PLANNING HISTORY:

PF/16/0600: Change of use of barn to single dwelling with associated alterations and extensions - approved

LA/16/0529: Conversion of barn to dwelling with associated alterations and extension - approved

THE APPLICATION:

Planning permission is sought for the erection of a brick and flint wall, with gate, between the annexe to The Old Rectory and Stacy Barn.

There is an associated application for listed building consent (LA/21/0794) which will also be considered at this meeting.

REASON FOR REFERRAL TO COMMITTEE:

At the request of Cllr. Lucy Shires. It is considered that the proposal would not create harm to the heritage asset to warrant refusal and considers the proposal complies with Policies EN4 and EN8 of the adopted North Norfolk Core Strategy.

PARISH/TOWN COUNCIL

Witton and Ridlington Parish Council: Two responses of support submitted.

CONSULTATIONS:

Conservation and Design Officer: Objection - considers the proposed wall would constitute a strong visual and physical barrier which would block the historic route and which would drive a wedge between the main house and its former ancillary outbuilding.

REPRESENTATIONS:

None received.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to

Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, refusal of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

POLICIES:**North Norfolk Core Strategy (Adopted September 2008):**

SS1 – Spatial Strategy

SS2 – Development in the Countryside

EN4 – Design

EN8 – Protecting and Enhancing the Historic Environment

CT5 – Transport Impact of New Development

CT6 – Parking Provision

National Planning Policy Framework (NPPF)

Section 2 – Achieving Sustainable Development

Section 9 – Promoting Sustainable Transport

Section 12 – Achieving Well Designed Places

Section 16 – Conserving and Enhancing the Historic Environment

North Norfolk Design Guide - Supplementary Planning Document (2008)**MAIN ISSUES FOR CONSIDERATION:**

1. Principle of development
2. Design and Heritage
3. Amenity
4. Highways

1. Principle of development:

The site is within the area designated as Countryside under policy SS 1 of the Core Strategy. The erection of a wall between residential properties is considered to be an acceptable type of development for such a location, in accordance with Policy SS 2. Consequently, the

proposed development is deemed acceptable in principle subject to compliance with other Development Plan policy requirements unless material considerations indicate otherwise.

2. Design and heritage:

The Old Rectory is a grade II listed building. Stacy Barn is a historically ancillary building now converted to a separate residential unit. The wall now proposed would be between the annexe for The Old Rectory and Stacy Barn.

When considering proposals or works affecting listed buildings, Section 66(1) of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

'In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

This obligation, found in Sections 66(1) applies to all decisions concerning listed buildings. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged.

When making decisions, it should be remembered that Parliament's intention was that 'decision makers should give "considerable importance and weight" to the desirability of preserving the setting of listed buildings' when carrying out the balancing exercise'.

In terms of assessment, as a result of the connection to, and impact upon, a listed building, a key element of the assessment of this application relates to the impact of the scheme on the heritage asset.

It is considered that the proposed wall would create a physical barrier between the listed building and the historically ancillary outbuilding, and interrupt a historic route between the two buildings. This strong visual and physical barrier is considered to be harmful to the setting and historic significance of the listed building.

Although this level of harm is deemed to be 'less than substantial', in accordance with paragraph 202 of the NPPF, it must be weighed against any public benefit arising from this proposal.

In the absence of identified public benefit(s), it is considered that the proposed development is contrary to Policies EN 4 and EN 8 of the North Norfolk Core Strategy, paragraph 202 of the NPPF (2021) and the North Norfolk Design Guide.

3. Amenity:

Given the height of the proposed wall, and its position across a driveway, it is not considered it would create any harmful effects in terms of amenity. The proposed development scheme is acceptable in this regard, in accordance with Policy EN 4, Section 12 of the NPPF (2021), and the North Norfolk Design Guide.

4. Highways:

The proposed wall would block a through route provided by a driveway which is semi-circular

in shape, providing access to/from the properties onto Heath Road. It would however, not affect safe access to Heath Road, nor would it affect parking requirements or parking provision. It is therefore considered that the proposal complies with Policies CT 5 and CT 6 and; Section 9 of the NPPF (2021).

CONCLUSION AND RECOMMENDATION:

Whilst considered acceptable in principle, with no unacceptable amenity and highway impacts, the proposed development is unacceptable in terms of its design and heritage impact. Refusal is therefore recommended.

RECOMMENDATION:

REFUSAL, for the following reasons:

In the opinion of the Local Planning Authority the proposed wall would create a physical barrier between the listed building and the historic ancillary outbuilding, and interrupt a historic route between the two buildings. This strong visual and physical barrier would be harmful to the setting and historic significance of the listed building.

Whilst this harm to the designated heritage asset would be less than substantial, there are no public benefits identified that would outweigh the harm identified. The proposal is therefore contrary to Policy EN 8 of the adopted North Norfolk Core Strategy, paragraph 202 of the National Planning Policy Framework 2021 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Final wording of the reasons to be delegated to the Assistant Director – Planning.

LITTLE SNORING – PU/21/3150 - Change of use of an agricultural building to 2 "larger" dwellinghouse and building operations reasonably necessary for the conversion; Barn at Jex Farm, Thursford Road, Little Snoring; for J S Jex Ltd.

Other Minor Development

- **Target Date: 26th January 2022**

- **Extension of time: 25th March 2022**

Case Officer: Mrs L Starling

Prior Notification

CONSTRAINTS

Countryside

Agricultural Land Classification – Grade 3

Landscape Character Area Type TF1 (Tributary Farmland)

EA Risk Surface Water Flooding 1 in 100 – Risk of Flooding (1% annual chance): 1 in 100

EA Risk Surface Water Flooding 1 in 100 – Risk of Flooding (0.1% annual chance): 1 in 1000

EA Risk Surface Water Flooding 1 in 30 – Risk of Flooding (3.3% annual chance): 1 in 30

EA Risk Surface Water Flooding + CC – SFRA – Risk of SW Flooding + Climate Change: T

Areas Susceptible to Groundwater SFRA - Classification: >= 25% <50% Flood Type: Clearwater

RELEVANT PLANNING HISTORY

Applications relating to this site:

PU/21/1068 - Change of use of agricultural building to 4 dwellinghouses (Class C3) and building operations reasonably necessary for the conversion – Application withdrawn

PF/20/1559 - Conversion and external alterations to agricultural building to form 5 dwellings; erection of detached open fronted garages - Withdrawn

PF/00/0503 – Erection of Agricultural Grain and Machinery Store – Approved

Applications relating to the directly adjacent buildings:

PF/21/1429 - 1, 3 and 4 Meadow View, Thursford Road - Timber cart lodge for parking and secure storage for Barns 1, 3 and 4 – Approved

CDA/18/0712 - Discharge of conditions 7 (construction environmental management plan) and 8 (ecology) of planning permission ref: PF/18/0712 - Condition Discharge Reply

PF/18/0712 - Conversion and extension of agricultural barns into 4. no residential units, creation of parking areas and associated landscaping works – Approved

PU/18/0318 - Jex Farm Barn - Notification for prior approval for a proposed change of use of agricultural building to No.2 dwellinghouses (Class C3) with associated operational development – Withdrawn

PF/14/1435 - Jex Farm Stable - Variation of condition of planning permission ref: 04/0595 to permit permanent residential occupation – Approved

PF/14/0085 - Jex Farm Barn - Removal of Condition 3 of planning permission reference: 02/0840 to permit permanent residential occupation - Approved

THE APPLICATION

This application is submitted under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (hereinafter referred to as the GPDO).

This sets out:

Class Q – agricultural buildings to dwellinghouses

Permitted Development

Q. Development consisting of—

- a) a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; or
- b) development referred to in paragraph (a) together with building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.

Permitted development is subject to a number of restrictions set out in paragraph Q.1 (development not permitted) and also conditions detailed in paragraph Q.2 of the GPDO. This latter paragraph requires the developer to apply to the local planning authority for a determination as to whether prior approval is required in relation to the following matters:

- (a) transport and highways impacts of the development;
- (b) noise impacts of the development,
- (c) contamination risks on site,
- (d) flooding risks on the site,
- (e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from an agricultural use to a use as a dwellinghouse,
- (f) design and external appearance of the building, and
- (g) the provision of adequate natural light in all habitable rooms of the dwellinghouses,

The provisions of paragraph W of Part 3 of the GPDO also apply in relation to such applications which sets out the procedure for applications for prior approval.

Committee should note carefully that the procedure for determining prior approval applications is not the same as with standard 'FULL' or 'OUTLINE' type applications. If a proposal does not give rise to unacceptable impacts in relation to the above matters (a) to (g) then prior approval should be granted either unconditionally or subject to conditions reasonably related to the subject matter of the prior approval.. This is set out in more detail within the relevant appraisal sections below

THE SITE

The building subject of this application is part of Jex Farm and lies to the north-east of the main farmhouse. The site consists of a modern agricultural building originally granted planning permission as a grain store in 2000 (ref: PF/00/0503). The building comprises a metal clad fully enclosed steel framed building, with the only opening being a large roller shutter door.

An existing shared driveway off Thursford Road would provide access to the site. West of the site is a shared access onto Bull Close Lane whilst to the south is the existing access to this barn and to the east lies land associated with the Jex Farm. Residential properties lie to the south and south-west in the form of a group of recently converted traditional barns, with the other nearest properties on Bull Close Lane.

This application follows a previously withdrawn application for the conversion of this building to 4 dwellinghouses (Class C3) (ref: PU/21/1068) which was withdrawn to address the Officer concerns raised in respect of compliance with the Class Q regulations.

The proposal would provide 2 no. single-storey 'larger' 4 bedroom dwellings, utilising the existing building footprint, and served by central open plan kitchen and living areas, bathrooms and utility areas.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Councillor T Fitzpatrick in the event of an Officer recommendation of Approval and in light of local concerns raised, for the reasons set out below:

Policy SS 1 – Spatial Strategy for North Norfolk

Though Little Snoring is a service village, the Local Plan never envisaged a major residential development right at the northern edge of the village. There have been recent barn conversions which have created 6 new dwellings. The addition of the two proposed in this application would exacerbate the number of dwellings in a part of the village which was not intended by the Plan. Also, the steel barn in proposed for conversion in this application is far larger than the neighbouring conversions of traditional barn buildings.

Policy SS 2 - Development in the Countryside

This states that '**areas designated a Countryside development will be limited to that which requires a rural location**', and lists a number of criteria this has to meet. The only one which it could apply in relation to this application is '*the re-use and adaption of buildings for appropriate use.*'

Little Snoring is mainly red brick and/or flint with some yellow brick housing close to the A148. This proposal is not in keeping with the buildings in the village due to design and overall size. Should this be allowed it could be seen as challenging and offending the vernacular of the historic village.

Policy HO 9 - Conversion & Re-use of Rural Buildings as Dwellings

Paragraph 3.2.24 (page 65) states, '**The policy will only apply to buildings of historic or landscape value that are suitable for re-use with substantial re-build,**

extension or alteration. These buildings are worthy of retention, often vacant or under utilised, and residential conversion may offer a sustainable future. Poorly constructed buildings, those which have a negative visual appearance and those that have recently been constructed for another purpose will not be eligible.'

There are a number of criteria that the conversion would seem to fail to meet in terms of this planning policy:

- ***'The building is worthy of retention due to its appearance, historic or landscape value'***. It is prefabricated and basically utilitarian unattractive steel barn which will continue to look like an unattractive steel barn once it is finished.
- ***'The building is suitable for conversion to residential use without substantial rebuilding and the alterations protect or enhanced the character of the building and its setting'***. The proposed development would have a detrimental impact on its setting, being completely different to the sympathetic brick and tile barn conversion next to it.
- ***'The scheme is of an appropriate scale in terms of the number of dwellings proposed for the location'***. The corrugated steel barn is a gross over-development in terms of residential and would dwarf the existing barn conversions.
- ***'Poorly constructed buildings, those which have a negative visual appearance and those that have recently been constructed for another purpose will not be eligible.'*** A modern, corrugated steel barn presents what most people would regard as an utterly negative visual appearance in terms of a residential building. Both this appearance and the fact that it is of recent construction and does not fit well with the nearby residential conversions of vernacular farm buildings should be sufficient grounds for refusal of this proposal.

Policy EN 2 – Protection and Enhancement of Landscape and Settlement Character

The proposed development is adjacent to Little Snoring Airfield and farming land. **At night this area is in total darkness. The proposed barn conversion has a set of high windows which would disturb the dark sky tranquillity of this farmland and be a further intrusion when there is a move across the county to reduce lights in rural areas and increase areas with dark skies.**

Policy EN 4 - Design

This states ***'all development will be designed to a high quality, reinforcing local distinctiveness... Design which fails to have regard to the local context and not preserve or enhance the character and quality of the area will be unacceptable.'*** Given the type of industrial construction using prefabricated panels, this proposal fails to meet any requirement to be designed for the context within which it is set. I am sure in any other circumstance a planning department would dismiss a proposal to erect a steel clad dwelling next to a brick and tile barn conversion. Further, there is no other residential building in the whole of Little Snoring which is steel clad, so this proposal would instead detract from the quality and character of the local area.

PARISH COUNCIL

Parish Council – Confirmed no objections.

REPRESENTATIONS

None received.

CONSULTATIONS

NNDC Landscape Officer – No Objection subject to conditions

Based on the amended plans submitted addressing the various concerns, the Landscape Team have confirmed they raise no objections subject to the imposition of conditions to ensure the works carried out accord with the soft landscaping, hedge planting and ecological details submitted.

Norfolk County Council Highways – No objection subject to condition to secure parking and turning provision.

NNDC Environmental Protection Team – No objections subject to conditions in respect of method of foul drainage and an informative note in respect of unexpected contamination.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to
Article 8: The Right to respect for private and family life.
Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

POLICIES

Due to the nature of this application, its acceptability must be assessed in terms of compliance with the Town and Country Planning (General Permitted Development) Order 2015 (as amended), Article 3, Schedule 2, Part 3, Class Q.

In terms of the prior approval matters, the following Development Plan Policies are, however, considered relevant.

Policy EN 4 - Design

Policy EN 9 – Biodiversity and Geology

Policy EN 10 – Development and Flood Risk

Policy EN 13 – Pollution and hazard prevention and minimisation

Policy CT 5 – The Transport Impact of new development

Policy CT6 – Parking provision

MAIN ISSUES FOR CONSIDERATION

1. Compliance with the Town and Country Planning (General Permitted Development) Order 2015 (as amended), Article 3, Schedule 2, Part 3, Class Q.
2. Acceptability of the proposals in respect of prior approval matters under paragraph Q.2

APPRAISAL

1. **Compliance with the Town and Country Planning (General Permitted Development) Order 2015 (as amended), Article 3, Schedule 2, Part 3, Class Q (Q.1).**

The main consideration is whether the change of use complies with Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Class Q relates to the change of use of agricultural buildings to dwellinghouses and associated building operations.

The application has been assessed against the relevant GPDO criteria under Q.1 as follows:

Q.1 Development is not permitted by Class Q if—

- (a) the site was not used solely for an agricultural use as part of an established agricultural unit—
 - (i) on 20th March 2013, or
 - (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or
 - (iii) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins;

Officer Assessment: Complies - The building appears to have been in agricultural use on 20th March 2013. From the appearance of the building, the Agents Supporting Statement and site history, it is clear that this building was originally built for agricultural purposes as a grain store (with permission granted in 2000) and as such it is considered that the proposal would comply with this requirement.

Q.1 Development is not permitted by Class Q if—

- (b) in the case of—
 - (i) a larger dwellinghouse, within an established agricultural unit—
 - (aa) the cumulative number of separate larger dwellinghouses developed under Class Q exceeds 3; or
 - (bb) the cumulative floor space of the existing building or buildings changing use to a larger dwellinghouse or dwellinghouses under Class Q exceeds 465 square metres;

Officer Assessment: Complies - The total combined floor space of the two larger dwellinghouses that are being created would not exceed 465sqm (plots 1 and 2 are shown as

188 sqm each).

Q.1 Development is not permitted by Class Q if—

- (ba) the floor space of any dwellinghouse developed under Class Q having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 465 square metres;

Officer Assessment: Complies - Plots 1 and 2 are shown as 188 sqm each.

Q.1 Development is not permitted by Class Q if—

- (c) in the case of—
 - (i) a smaller dwellinghouse, within an established agricultural unit—
 - (aa) the cumulative number of separate smaller dwellinghouses developed under Class Q exceeds 5; or
 - (bb) the floor space of any one separate smaller dwellinghouse having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 100 square metres;

Officer Assessment: Not applicable as no smaller dwelling houses are being created.

Q.1 Development is not permitted by Class Q if—

- (d) the development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in either or both of the following—
 - (i) a larger dwellinghouse or larger dwellinghouses having more than 465 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;
 - (ii) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeding 5;

Officer Assessment: Complies - Two larger dwellinghouses are being created (plots 1 and 2 are shown as 188 sqm each).

Q.1 Development is not permitted by Class Q if—

- (e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;

Officer Assessment: Complies - The site is not occupied under an agricultural tenancy

Q.1 Development is not permitted by Class Q if—

- (f) less than 1 year before the date development begins—
 - (i) an agricultural tenancy over the site has been terminated, and
 - (ii) the termination was for the purpose of carrying out development under Class Q,

unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;

Officer Assessment: Complies - Whilst it is noted that the agricultural tenancy agreement was terminated for the building, it is considered that sufficient documented evidence from the tenant/agent has been provided to demonstrate that the building is no longer required for agricultural use to comply with this requirement.

Q.1 Development is not permitted by Class Q if—

- (g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit—**
 - (i) since 20th March 2013; or**
 - (ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;**

Officer Assessment: Complies - No development appears to have taken place under Class A(a) or Class B(a)

Q.1 Development is not permitted by Class Q if—

- (h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;**

Officer Assessment: Complies - The proposed development would not result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point. The plans demonstrate that the external dimensions of the building would not be extended to facilitate the works.

Q.1 Development is not permitted by Class Q if—

- (i) the development under Class Q(b) would consist of building operations other than—**
 - (i) the installation or replacement of—**
 - (aa) windows, doors, roofs, or exterior walls, or**
 - (bb) water, drainage, electricity, gas or other services,**
 - to the extent reasonably necessary for the building to function as a dwellinghouse; and**
 - (ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);**

Officer Assessment: Complies - The building operations proposed are considered acceptable in respect of meeting the 'reasonably necessary' criteria.

The application is supported by a Structural Survey to demonstrate that the buildings are suitable for conversion stating that the existing external walls and roofing materials would also be retained as part of the proposals. Whilst it is acknowledged that elements of external works to the fenestration will be required to facilitate the buildings conversion and to allow it to function as dwellings (including the introduction of doors, windows and glazing), those proposed are considered to constitute 'reasonably necessary' works in the parameters of Part Q. It should be noted that the scheme has been recently amended to further reduce the upper

level glazing originally in place of the door on the gable. As such, it is considered that the proposals comply with the 'reasonably necessary' criteria.

Q.1 Development is not permitted by Class Q if—

- (j) the site is on article 2(3) land;**

Officer Assessment: Complies - The site does not lie within a designated conservation area or Area of Outstanding Natural Beauty (AONB)

Q.1 Development is not permitted by Class Q if—

- (k) the site is, or forms part of—**
(i) a site of special scientific interest;
(ii) a safety hazard area;
(iii) a military explosives storage area;

Officer Assessment: Complies - The site is not nor does it form part of a SSSI. The site is not nor does it form part of a safety hazard area. The site is not nor does it form part of a military explosives storage area

Q.1 Development is not permitted by Class Q if—

- (l) the site is, or contains, a scheduled monument;**

Officer Assessment: Complies - The site is not nor does it contain a scheduled monument

Q.1 Development is not permitted by Class Q if—

- (m) the building is a listed building.**

Officer Assessment: Complies - The building is not a listed building

On the above basis, the proposed development complies with the requirements of Class Q.1.

2. Acceptability of the proposals in respect of prior approval matters under paragraph Q.2

Under this type of Prior Notification application for change of use under Class Q, Local Planning Authorities can only consider the following matters in regards to whether or not Prior Approval is required:

- (a) Transport and highway impacts of the development;**

Officer Assessment: Acceptable - The site provides adequate on-site parking and turning provision. No objections have been raised by the Highway Authority in respect of access and parking arrangements.

- (b) Noise impacts of the development;**

Officer Assessment: Acceptable - No objections have been raised by the Council's

Environmental Protection Officer in respect of noise, noting previous approvals for the conversion of other barns on the wider farm.

(c) Contamination risks on the site;

Officer Assessment: Acceptable – A Contamination Report was submitted with the application, the findings of which are accepted. No objections have been raised by the Council’s Environmental Protection Officer on this matter,

(d) Flooding risks on the site;

Officer Assessment: Acceptable – The site lies within Flood Zone 1 and as such, there is no risk of flooding to the site. As the size of the building would remain the same and with little hardstanding proposed, it is not considered that there would be any significant increase in surface water run-off.

(e) Whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses);

Officer Assessment: Acceptable – Given compliance with the matters as above, and the relative close proximity of the village, there is no reason to consider that the location or siting of the building would make the proposal either impractical or undesirable.

(f) Design and external appearance of the building;

Officer Assessment: Acceptable – As stated above under Section Q.1(i) the proposed alterations to the building are considered to be acceptable. The building would retain its cladded appearance with the addition of window/door openings to lend a more domesticated appearance as to be expected. Overall, it is considered that the design and external appearance of the building would be acceptable.

(g) the provision of adequate natural light in all habitable rooms of the dwellinghouses,

Officer Assessment: Acceptable – By virtue of the new openings proposed, all habitable rooms would benefit from natural light.

As there are no overriding concerns in respect of the above matters (a) to (g), no further information is required by Officers in respect of the proposed development.

CONCLUSION

It is considered that the proposed change of use of this former grain store to two no. larger dwellinghouses satisfies all the conditions set out within Class Q of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and amendments) and so therefore constitutes permitted development.

No prior approval is required given that there will be no material highway impacts, noise, contamination or flooding issues and the building is considered suitable for residential use as two no. larger dwellings, subject to the building operations permitted under the Order.

RECOMMENDATION: PRIOR APPROVAL NOT REQUIRED.

Conditions are suggested to cover the matters listed below, and any other conditions considered to be necessary by the Assistant Director for Planning:

1. Time limit
2. Accordance with approved plans
3. Materials as submitted
4. Compliance with/incorporation of ecological mitigation/enhancement measures
5. Soft landscaping to be carried out during next available planting season/replacement of new planting if required
6. Parking/turning area to be provided
7. Bin storage area to be provided
8. Prior agreement of external lighting other than hereby approved

Final wording of the conditions to be delegated to the Assistant Director for Planning.

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North Walsham – PF/22/0431 – Erection of single storey rear extension (part retrospective) and side extension to dwelling, 1 Primrose Walk, North Walsham, for Miss Beattie

Target Date: 22nd March 2022

Case Officer: Matthew Attewell

Householder Application

RELEVANT SITE CONSTRAINTS

- Landscape Character Area
- LDF – Residential Area, within Settlement Boundary

RELEVANT PLANNING HISTORY

None

THE APPLICATION

A single storey side extension to the eastern side of the detached dwelling is proposed which would project 2.1 metres at its widest point. The application also seeks part retrospective approval for a single storey rear extension to the southern elevation which projects 3 metres from the original rear wall and replaces an existing conservatory. The rear extension is part retrospective because as originally proposed, it would have been permitted development (i.e. did not require express planning permission), but during the course of construction the applicant decided they wanted a render finish to the external walls instead of matching brick, which meant permission was now required.

The tallest ridge height of the proposal would be found within the side extension of approximately 3.8m and eaves heights would be the same across both aspects of the proposal. The walls of the extensions would have a cream coloured rendered finish.

The roof covering would be matching those found on the main dwelling and detached garage.

REASONS FOR REFERRAL TO COMMITTEE

The applicant is a member of staff within the Council's Building Control Team.

PARISH/TOWN COUNCIL

North Walsham Town Council: No comments received at the time of writing the report

CONSULTATIONS

None required.

REPRESENTATIONS

None received in response to site notice at time of writing report. As the period for comment does not expire until 15 March 2022, any representations received will be reported verbally at the meeting.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to

Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

POLICIES

North Norfolk Core Strategy (Adopted September 2008):

SS 1 – Spatial Strategy for North Norfolk

SS 3 – Housing

EN 4 – Design

CT5 – The Transport Impact of New Development

CT6 – Parking Provision

National Planning Policy Framework (NPPF):

Section 2 – Achieving sustainable development

Section 4 – Decision-making

Section 12 - Achieving well-designed places

Supplementary Planning Documents

North Norfolk Design Guide – Supplementary Planning Document (2008)

MAIN ISSUES FOR CONSIDERATION

Main Issues:

- 1. Whether the proposed development is acceptable in principle: policies SS 1 and SS 3***
- 2. Effect on the character and appearance of the existing dwelling and area within which it is located: Policy EN 4***
- 3. The effect on the living conditions of the occupiers of neighbouring dwellings: policy EN 4***
- 4. Highway safety and parking: policies CT 5 and CT 6***

1. Principle

The property, an end terrace house, is situated within North Walsham which is a principle settlement under policy SS 1 and is within a designated Residential Area. Policy SS 3 allows for appropriate residential development within such areas. The proposed development is

therefore acceptable in principle and complies with Policies SS 1 and SS 3. To be acceptable overall however, the proposed development must comply with all other relevant development plan policies unless material considerations indicate otherwise.

2. Character and Appearance

Policy EN 4 states that all development will be designed to a high quality, and design which fails to have regard to local context and does not preserve or enhance the character and quality of an area will not be acceptable. Development proposals such as extensions and alterations to existing dwellings are expected to have regard to the North Norfolk Design Guide, which as a Supplementary Planning Document is a material consideration.

The proposed extensions to the rear of the property replace a conservatory that measured approximately 2.3 metres by 2.6 metres that has now been removed. The proposed single storey rear extension would be constructed predominantly of brickwork finished in a cream render, with a tiled roof which matches those found on the existing dwelling and detached garage. The fenestration of the extension will be cream uPVC double glazing in a similar arrangement to that of the existing dwelling.

The proposed single storey side extension will project from the side of the dwelling by 2.1 metres at the widest point, and narrows towards the front of the dwelling where it meets the front elevation. The material palette will be similar to those proposed within the rear extension, with a cream rendered wall, matching tiled roof and brown uPVC double glazed windows similar to those within the main property.

Due to the design and subservient nature of the proposed extensions it is considered that the scheme would not result in harm to the character and appearance of existing dwelling or the area in which it is located. The proposal therefore complies with Policy EN 4.

3. Living conditions

Policy EN 4 of the Core Strategy and the North Norfolk Design Guide requires that proposed development must not significantly impact upon the residential amenities of the occupiers of nearby dwellings in respect of light, privacy and disturbance.

It is considered that there would be no material effects on the occupiers of the closest dwellings and the proposed development would adequately safeguard residential amenity in accordance with Policy EN 4 and the North Norfolk Design Guide.

4. Highway safety

The proposed extensions to the dwelling would not have any material effects in terms of access, parking arrangements and highway safety. The proposal therefore complies with Policies CT 5 and CT 6.

CONCLUSION:

The proposal is acceptable in principle and would not result in any harm to the character and appearance of the area, living conditions of neighbours or highway safety and as such complies with relevant Development Plans policies and adopted guidance

RECOMMENDATION:

Approve, subject to the conditions summarised below, and any others deemed necessary by the Assistant Director of Planning:

- 1. Time limit**
- 2. Approved plans**
- 3. Matching materials**

Final wording of conditions to be delegated to the Assistant Director of Planning

DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – MARCH 2021

1. INTRODUCTION:

1.1 This report sets out performance in relation to the determination of planning applications in both Development Management and Majors teams on the basis of speed and quality of decision against national benchmarks. This report is provided as an analogous report to the reporting of The Planning Portfolio Holder to Full Council. The report is provided on a monthly basis.

2. BACKGROUND:

2.1 The table below sets out the current national performance targets as set by Central Government as measured over a cumulative 24-month period.

Measure and type of application	Threshold and assessment period
Speed Major Development	60% of applications determined within 13 weeks or an agreed extended deadline over a 24-month cumulative period. (EIA development 16 weeks or an agreed extended deadline).
Quality Major Development	Not more than 10% of appeals overturned over a 24 month cumulative period.
Speed of Non-major ¹ Development	70% of applications determined within 8 weeks or an agreed extended deadline over a 24 month cumulative period.
Quality of Non-major Development	Not more than 10% of appeals overturned over a 24 month cumulative period.

3. CURRENT PERFORMANCE:

3.1 The current period for assessment runs from April 2020 to April 2022. Applications performance data in relation to speed of decisions for Majors and Non-majors is shown, with current position as at the date of publication.

3.2 Major developments as measured under Table 151 of MCHLG guidance:

	All Major Decisions	Major Decisions within 13 weeks	PPA, EoT or EIA Decisions	PPA, EoT or EIA Decisions in time	Out of time	Result
Q1 Apr - Jun 2020	6	0	6	6	0	100%
Q2 Jul - Sep 2020	3	1	2	2	0	100%
Q3 Oct - Dec 2020	7	2	5	5	0	100%
Q4 Jan - Mar 2021	8	0	7	4	4	50%
Q5 Apr - Jun 2021	4	0	4	3	1	75%
Q6 Jul - Sep 2021	1	0	1	1	0	100%
Q7 Oct - Dec 2021	3	0	3	3	0	100%
Q8 Jan - Mar 2022	3	0	3	3	0	100%
total	35	3	31	27	5	86%

Minimum level required 60%

* EoT – Extension of Time Period for determination.

- 3.3 Three major decisions were issued in February. Performance in major developments remains shows a rise by 2% since reporting in February to 86% (over the 2-year average). The rise in performance results from a number of older applications with agreed extension of time where S106 Obligations have been completed enabling a decision to be issued. Our aim as officers and managers remains focused on performance improvements to ensure the figures move to the 95% mark.
- 3.4 A list of cases with outstanding S106 Obligations is attached at **Appendix 1** of this report. The list, arranged in Parish order, identifies the case, site and proposal, planning officer, whether the decision was a delegated or Committee decision and the date of resolution to approve. The sets out the current position and a RAG rating at the end. Red relates to cases that are more than three months past their date of resolution to approve, amber relates to schemes over two months past resolution to approve and green correspondences to cases less than two months past date of resolution to approved.
- 3.5 In total there are 17 S106 cases, five of which have been completed and can be removed from the next performance list. Of the remaining 12 cases, two have a red RAG rating and are being prioritised for resolution. Overall, the number of S106 cases is considered to be manageable and Officers are working with Eastlaw to ensure this position remains so.

3.6 **Projected** Non Major Performance as measured under Table 153 of MCHLG guidance:

Non-majors (153)						
	Non-major Decisions	Non-major Decisions within 8 weeks	PPA, EoT or EIA Decisions	PPA, EoT or EIA Decisions in time	Out of time	Result
Q2	200	71	122	110	19	91%
Q3	182	44	131	126	12	93%
Q4	235	61	155	118	56	76%
Q5	308	41	178	130	137	56%
Q6	298	83	123	104	111	63%
Q7	196	57	108	99	40	80%
Q8	287	119	154	146	22	92%
Q9	359	153	187	179	26	92%
	2065	629	1158	1012	424	79%

Minimum level required **70%**

* *EoT – Extension of Time Period for determination.*

Projecting performance forward from January gives a quarter with 359 decisions at 92% in time, moving to 79% of decisions over the two-year time period being in time. Our aim is for the figure to be maintained for each quarter to be at no less 90% with over 300 decisions being made in total.

February:

Performance in non-major developments is broadly maintaining the improvements in terms of speed. February' performance was at 91.76%. This compares to January at 94.28% and the December figure of 92.8%.

The quantity of decisions in February was 85 compared with January at 105 December at 84 decisions.

Reliance of extension of time period raised to 58% of all decisions under extensions and improved conversions standing at 94% being completed in the agreed time.

We will strive to deliver more decisions, and for more of those decisions to be within the 8-week period, creating a reduce reliance on extension of time period requests.

3.7 Appeals performance data (the quality criteria) is defined as no more that 10%

of all appeals against the Council's decisions being overturned over via the appeal process over the same two-year period. Performance in both Major and Non Major Decision making remains strong in terms of Quality.

3.8 For major development appeals the current figure to February stands at 2.50%; remaining a single case overturned during the 2-year performance period in Spring 2021.

3.9 For Non-Major development the figure fell to 0.56% for the appeals determined over the 2-year aggregate.

4. INFLUENCING FACTORS AND ACTIONS

4.1 Officer caseloads – the number of older cases held in the service's live caseload is reviewed monthly in this report with Development Committee. The current live case load of all matters in the service stands at 593.

Average caseloads in the Non-Major's group has risen to 32 cases per officer (29 from last month). Our average cases per officer are increasing in the Non Major group in part due to a temporary contractor role ending mid February.

We have a rise to 30 cases per officer in the Majors team (29 last month). A vacancy exists in the major group which is being reviewed to assist capacity in the group.

High rates of first time validation are being achieved with average timing remaining consistent at around 3 days per case for the PPU team to move the applications through to case officers.

4.2 Software updates – No new software updates are expected in the near future.

4.3 Staffing – Vacant Planning Officer role in Majors Team is out to advert.

4.4 Consultations – pressure remains in this area; internal consultees are under pressure from competing work areas. Case officers are being proactive and supportive. Assessment of cases at first clear date remains central to driving forward speed and quality of decision making.

4.5 We continue to monitor key performance areas for improvement:

- Reduce reliance on extension of time periods. Ensure that wherever possible extended timescales are met
- Monitor need to boost capacity to meet any short term needs (review experience profile across DM Team).
- Enhanced performance management reports for Case Officers, Team leaders and Managers, (completions graph available for managers).
- Improved communication agents / applicants (generally positive, escalation process in place where required)

- Improved business process, (produced consultation pro-former response forms).

5. RECOMMENDATIONS:

5.1 Members are asked to note the content of this report.

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Appendix 1 - SCHEDULE OF S106 AGREEMENTS

UPDATE FOR DEVELOPMENT COMMITTEE:

17 March 2022

Application reference	Site Address	Development Proposal	Parish	Planning Case Officer	Committee or Delegated Decision	Date of Resolution to Approve	Eastlaw Officer	Eastlaw Ref:	Current Position	RAG Rating
PF/21/1749	Land South Of Lea Road Catfield Norfolk	Erection of 18 Affordable Dwellings with associated infrastructure, landscaping and open space	CP018 - Catfield	Russell Stock	TBC	TBC	Noel Doran	18647	Decision yet to be confirmed. Early draft in circulation.	Green
PF/21/0797	Land North Of Palling Road Ingham Norfolk	Two storey detached dwelling; driveway and access to Palling Road; tree and hedgerow planting and formation of pond	CP054 - Ingham	Darryl Watson	Delegated	N/A	Fiona Croxon	19404	Application subject of a Planning Appeal. Unilateral Undertaking submitted by appellant dated 30th Jan 2022. Appeal decision awaited. Can be removed from list of cases.	Green
SV/20/1621	Land Adjacent To Kettlestone Road Little Snoring	Application to modify planning obligations within the Section 106 agreement of planning permission PO/14/1249 (Erection of 20 dwellings) including proposals to amend the point at which Affordable Housing is to be provided within the development.	CP064 - Little Snoring	Geoff Lyon	Delegated	08/12/2021	Noel Doran	18498	Content of S106 agreed by NNDC. Engrossments with County Council for execution.	Yellow
PF/19/0991	Land South Of School Road Ludham	Erection of 12 dwellings with associated access from Willow Way, footpath to School Road, open space, landscaping and parking	CP065 - Ludham	Geoff Lyon	Committee	11/03/2021	Fiona Croxon	16949	S106 Signed and Completed. Decision Issued 25/02/2022. Can be removed from list of cases.	Red
PF/21/3016	Luxem Cottage High Street Ludham Great Yarmouth Norfolk NR29 5QQ	Two storey rear extension	CP065 - Ludham	Alice Walker	TBC	TBC	Fiona Croxon	19641	Awaiting title and costs undertaking.	Green
PF/21/3017	Vale Cottage High Street Ludham Great Yarmouth Norfolk NR29 5QQ	Two story rear extension	CP065 - Ludham	Alice Walker	TBC	TBC	Fiona Croxon	19641	Awaiting title and costs undertaking.	Green
PF/20/1781	Land North Of Broadgate Close Northrepps Cromer NR27 0LR	Construction of 19 dwellings (Use Class C3), parking, landscaping and drainage, with associated highway access from Broadgate Close and a temporary construction access and compound area off Nut Lane	CP072 - Northrepps	Geoff Lyon	Delegated	18/10/2021	Fiona Croxon	16936	S106 Signed and Completed. Decision Issued 01/03/2022. Can be removed from list of cases.	Red
PF/17/0729	Kipton Wood And The Orchard Former RAF Base West Raynham NR21 7DQ	Erection of 94 dwellings with associated infrastructure; conversion of former NAAFI building to provide a new community centre; new allotments (within Kipton Wood); new play area (within The Orchard).	CP078 - Raynham	Geoff Lyon	Committee	19/04/2018	Noel Doran	11504	Content of S106 agreed by NNDC. Awaiting County Council confirmation of Secretary of State inclusion in agreement.	Red

PF/19/1028	Land At Back Lane Roughton	Erection of 30 residential dwellings with associated access, open space, landscaping and off-site highways works. Formation of sports pitch, creation of wetland habitat, construction of 17-space community car park, construction of footpath link to village, and provision of land for community facility (Amended Plans and Additional Supporting Documents)	CP079 - Roughton	Katherine Rawlins	TBC	TBC	Noel Doran	14360	Costs undertaking previously requested. Progress delayed until application matters sufficiently progressed.	
PF/18/0363	Scottow Enterprise Park Lamas Road Badersfield Scottow	Change of use of parts of the former military taxiway and runway areas for manoeuvring, take-off and landing of light aircraft	CP082 - Scottow	Russell Stock	Committee	20/06/2019	Noel Doran	14147	Content of S106 previously agreed by NNDC. Latest position requested from applicant's solicitor on 18 Feb 2022. No response since May 2021.	
PF/21/3141	Land South Of Weybourne Road Sheringham Norfolk	Erection of 2 storey 70 Bed Care Home (Class C2) and 24 affordable dwellings (Class C3) with associated amenity space, access, parking, service, drainage and landscaping infrastructure	CP085 - Sheringham	Richard Riggs	Delegated	TBC	Fiona Croxon	TBC	New instructions. A costs undertaking and title received – heads of terms being resolved.	
RV/21/0772	Land West Of 29 Long Lane Southrepps Norfolk	Variation of Conditions 7B and 7C (car parking spaces) and Condition 8 (landscaping details) of planning permission PF/19/0771	CP090 - Southrepps	Katherine Rawlins	Delegated	01/12/2021	Noel Doran	19199	Content of S106 agreed by NNDC. Engrossments circulating	
PF/21/1532	Land North East Of Yarmouth Road Stalham Norfolk	Extra Care development of 61 independent one and two bedroom flats, with secured landscaped communal gardens, associated visitor and staff car and cycle parking, external stores and a new vehicular access onto Yarmouth Road.	CP091 - Stalham	Richard Riggs	TBC	TBC	Fiona Croxon	18895	S106 Obligations substantially drafted. Case referred to 17 March Committee	
PF/21/2021	Land North East Of Yarmouth Road Stalham Norfolk	A new residential development of 40 affordable houses comprising 22 affordable/shared ownership houses and one block of 18 affordable flats consisting of 9, one bedroom flats and 9, two bedroom flats with associated landscaping, infrastructure and access.	CP091 - Stalham	Richard Riggs	TBC	TBC	Fiona Croxon	18896	S106 Obligations substantially drafted. Case referred to 17 March Committee	
PF/21/1229	Rosewood Farm Craymere Beck Road Thurning Norfolk NR24 2LW	Single storey detached agricultural worker's dwelling (alternative site for agricultural workers dwelling approved under outline planning permission PO/16/1110 and approval of reserved matters PM/20/0574)	CP104 - Thurning	Darryl Watson	Delegated	N/A	Fiona Croxon	19477	Draft S106 Unilateral Undertaking agreed - plans being prepared.	
PF/21/0531	Trimingham Village Hall Cromer Road Trimingham Norwich	Site A - change of use from agricultural to recreation land and; Site B - change of use from recreation land to agricultural in land swap	CP106 - Trimingham	Richard Riggs	Delegated	N/A	Fiona Croxon	17967	S106 Signed and Completed. Decision Issued 11/02/2022. Can be removed from list of cases.	
PF/20/1582	Land Off Ostend Road Walcott	Development of 18 dwellings, comprising 16 two-storey dwellings for affordable rent (Site Plot A: 4no. 3-bed houses, 8no. 2-bed houses, and 4no.1-bed flats), and 2no. 4-bed detached houses for market sale (Site Plots B and C), with associated access, parking and landscaping	CP134 - Walcott	Geoff Lyon	Committee	08/04/2021	Fiona Croxon	17533	S106 Signed and Completed. Decision Issued 14/02/2022. Can be removed from list of cases.	

OFFICERS' REPORTS TO DEVELOPMENT COMMITTEE 17 MARCH 2022

APPEALS SECTION

NEW APPEALS

ALBY WITH THWAITE – ENF/20/0066 - Appeal against breach of planning control
Field View, Alby Hill, Alby, Norwich NR11 7PJ

For Mr Karl Barrett

WRITTEN REPRESENTATION

SWANTON NOVERS – PF/21/0551 - Two storey and part single storey rear extension
Dennisby House, The Street, Swanton Novers, Melton Constable, Norfolk NR24 2QZ

For Mr Chris Bloomfield

WRITTEN REPRESENTATION

SWANTON NOVERS – LA/21/0552 - Internal and external works associated with extensions and alterations to dwelling

Dennisby House, The Street, Swanton Novers, Melton Constable, Norfolk NR24 2QZ

For Mr Chris Bloomfield

WRITTEN REPRESENTATION

INQUIRIES AND HEARINGS – IN PROGRESS

CLEY-NEXT-THE-SEA - ENF/18/0164 - Alleged further amendments to an unlawful dwelling

Arcady, Holt Road, Cley-next-the-Sea, Holt, NR25 7TU

for Mr Adam Spiegel

INFORMAL HEARING – ~~1 & 2 March 2022~~ Re-Scheduled – 22 & 23 June 2022

KELLING – PF/20/1056 - Demolition of former Care Home buildings and erection of 8no. dwellings, car parking, associated access and landscaping

Kelling Park, Holgate Hill, Kelling, Holt NR25 7ER

For Kelling Estate LLP

INFORMAL HEARING – Date: 22 & 23 March 2022

RYBURGH - ENF/20/0231 – Replacement Roof

19 Station Road, Great Ryburgh, Fakenham NR21 0DX

For Christopher Buxton and A E Simcock

INFORMAL HEARING – Date: 26 April 2022

WRITTEN REPRESENTATIONS APPEALS - IN HAND

ALDBOROUGH – EF/21/0972 - Lawful Development Certificate that the hybrid garden annexe and associated concrete plinth foundation, concrete lattice (max 7sqm) or lightweight lattice base falls under the definition of a caravan and its subsequent siting on a concrete plinth foundation, concrete lattice (max 7sqm) or lightweight lattice base for use ancillary to the main dwelling known as 1 Harmers Lane, Thurgarton, Norwich, Norfolk, NR11 7PF does not amount to development so that Planning permission is not required

1 Harmers Lane, Thurgarton, Norwich, Norfolk NR11 7PF

For Victoria Connolly

WRITTEN REPRESENTATION

CORPUSTY – ENF/20/0095 - Operational development without planning permission

Manor Farm Barns, Norwich Road, Corpusty, NR11 6QD

For Mr Michael Walsh

WRITTEN REPRESENTATION

INGHAM – PF/21/0797 - Two storey detached dwelling; driveway and access to Palling Road; tree and hedgerow planting and formation of pond

Land North Of, Palling Road, Ingham, Norfolk

For Mr Tom Coller

WRITTEN REPRESENTATION

KETTLESTONE – ENF/19/0094 - Erection of log cabin

Land South East Of Kettlestone House, Holt Road, Kettlestone, Norfolk

Mr and Mrs P & S Morrison

WRITTEN REPRESENTATION

NORTH WALSHAM – ENF/21/0146 - Unauthorised developement in back garden

1 Millfield Road, North Walsham, Norfolk NR28 0EB

For Mr Robert Scammell

WRITTEN REPRESENTATION

SCULTHORPE – PF/21/0779 – Erection of detached dwelling with associated parking

Land at Grid Ref: 591266.85, Goggs Mill Road, Fakenham, Norfolk

For Mr S Mann

WRITTEN REPRESENTATION

TRUNCH – PF/21/1561 - Two storey detached dwelling with associated landscaping including tree planting scheme and wildlife pond

Field Near Fairview Barn, Brick Kiln Road, Trunch, Norfolk, NR28 0PY

For Mr Mike Pardon

WRITTEN REPRESENTATION

TUNSTEAD – PO/21/0257 - Single storey detached dwelling (outline - details of access only with all other matter reserved)

Land North Of 9 Granary Way, Market Street, Tunstead, Norfolk
For Mr Kelvin Rumsby

WRITTEN REPRESENTATION

WICKMERE – PF/20/2072 - Erection of dwelling with attached double garage

Park Farm Office, Wolterton Park, Wolterton, Norwich NR11 7LX

For Mr M & Mrs C McNamara

WRITTEN REPRESENTATION

APPEAL DECISIONS - RESULTS AND SUMMARIES

BLAKENEY - PF/20/1109 - Change of use and extension to existing storage barn to form new dwelling; and meadow enabled to rare chalk grassland creation scheme

Agricultural Barn, Morston Road, Blakeney

For Mr D Broch

WRITTEN REPRESENTATION – **Appeal Dismissed – Costs Refused**

CORPUSTY & SAXTHORPE - PU/20/0398 - Application to determine if prior approval is required for change of use of agricultural building to a dwellinghouse (Class C3) and for associated building operations

Barn At Valley Farm, Wood Dalling Road, Corpusty, Norwich NR11 6QW

For Mr George Craig

WRITTEN REPRESENTATION – **Appeal Allowed**

ITTERINGHAM – PF/20/1715 - Change of use from holiday let to single dwellinghouse

The Muster, The Street, Itteringham, Norwich NR11 7AX

For Mr Joff Goodman

WRITTEN REPRESENTATION – **Appeal Dismissed**

ROUGHTON – PO/21/0149 - Erection of detached dwelling (outline with all matters reserved)

Pine Cottage, Felbrigg Road, Roughton, Norwich, Norfolk NR11 8PA

For Mr P & Mrs S Miles-Jones

WRITTEN REPRESENTATION - **Appeal Dismissed**

SHERINGHAM – PO/20/1327 - Erection of single detached property within the garden and adjacent to the existing property (Outline - detail of access only)

5 Meadow Way, Sheringham, NR26 8NF

For Mr Steve McDermott

WRITTEN REPRESENTATION – **Appeal Dismissed**

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